

**Chapter Ret 5**

**APPLICATIONS**

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**Ret 5.01 Application schedule.** The following schedule is adopted for the administration of the system:

**(1) SEPARATION BENEFITS.**

(a) Each application for a separation benefit shall be acted upon by the director and actuary pursuant to section 41.04 (1) (b), Wis. Stats., if it, and all other necessary forms and data, have been received in the office of the fund in conformity with the following schedule:

(b) The deadlines for the receipt of applications for separation benefits which shall be paid pursuant to (c) shall be at the close of business on:

March -----	20	September -----	20
June -----	20	December -----	20

(c) Not later than the following dates the fund will deliver separation benefit payrolls to the director of finance covering separation benefits applied for by the last preceding deadline established under (b) hereof:

March -----	20	September -----	20
June -----	20	December -----	20

(d) Separation benefit payrolls shall include amounts due each person from whom an application has been received not later than the application deadline prior thereto, and which has been approved pursuant to section 41.04 (1) (b), Wis. Stats., provided that the payroll report containing final earnings for that person has been received by the fund not more than 30 days after the application deadline.

**(2) QUARTERLY SCHEDULE.** No application for a disability annuity will be considered and passed upon by the board of trustees unless such application and all required accompanying forms and data have been on file in the office of the fund not later than the following date preceding the board meeting:

February -----	20	August -----	20
May -----	20	November -----	20

**(3) MONTHLY SCHEDULE.** Applications for retirement and beneficiary annuities, and death benefits shall be processed and paid as of the end of each month upon the approval of director and the actuary, provided that no such annuity shall be continued beyond the date of the next meeting of the board without the approval of the board,

if each such application and all required accompanying forms and data have been on file in the office of the fund not later than the 20th day of the preceding month.

(4) On a date determined by the director the separation benefit payment schedule in subsection (1) shall cease to be effective, after which each separation benefit shall be scheduled for payment on the first day of the second month which begins after the date of receipt in the office of the fund of an application (Form 18) and notice of termination (Form 40) which includes a certification of the amount of all earnings and contributions not previously reported to the fund. Except as otherwise provided by statute, any overpayment of a separation benefit which results from an erroneous certification by a participating municipality, and which is not repaid by a participant, shall be charged to the municipality accumulation account of the participating municipality which submitted the erroneous certification.

**History:** 1-2-56; am. (1) (a), (b), (c), (d), Register, October, 1956, No. 10, eff. 12-31-56; am. (2) and cr. (3), Register, November, 1957, No. 23, eff. 12-31-57; am. (1) (c), Register, October, 1961, No. 70, eff. 11-1-61; am. (1) (a) and (d) and (3), Register, February, 1970, No. 170, eff. 3-1-70; cr. (4), Register, October, 1971, No. 190, eff. 11-1-71.

**Ret 5.11 Termination prerequisite.** Except as provided by section 41.11 (6) (m), Wis. Stats., no application for a retirement annuity may be filed until the participating employe has terminated all service for every participating municipality for which he has been a participating employe and for which he received compensation.

**History:** 1-2-56; r. and recr. Register, December, 1966, No. 132, eff. 1-1-67; am. Register, February, 1970, No. 170, eff. 3-1-70.

**Ret 5.12 Application withdrawal.** Any application for a benefit may be withdrawn by the applicant at any time prior to approval of the application by the actuary and the director or the board. Any application withdrawn as provided herein shall have no force or effect, and any subsequent application shall be treated as a new application.

**History:** 1-2-56; r. and recr. Register, December, 1966, No. 132, eff. 1-1-67; am. Register, February, 1970, No. 170, eff. 3-1-70.

**Ret 5.13 Birth date.** Each application for an annuity or death benefit computed pursuant to section 41.14 (2) (g), Wis. Stats., must be supported by a certified copy of a birth certificate or a certified copy of a certificate entered and recorded pursuant to section 889.28, Wis. Stats., or other evidence of date of birth acceptable to the fund.

**History:** 1-2-56; am. Register, February, 1970, No. 170, eff. 3-1-70.

**Ret 5.14 Beneficiary designation.** Each application for a retirement, beneficiary, or disability annuity must be accompanied by a designation of beneficiary (Form 2).

**Ret 5.21 Eligibility.** Where potential prior service credits are involved, a participating employe can establish eligibility for a retirement or disability annuity, or for a death benefit only if his name appears on a monthly payroll report to the fund as having earned some compensation from the municipality granting the prior service credit after the effective date of participation by such municipality.

**Ret 5.31 Death of applicant.** When an applicant for any benefit dies prior to approval of his application by the actuary and the director or the board, but the application is approved because information as

to the death of the applicant has not been received, the approval of the application shall be automatically nullified.

**History:** 1-2-56; r. and recr. Register, December, 1966, No. 132, eff. 1-1-67; am. Register, February, 1970, No. 170, eff. 3-1-70.

**Ret 5.32 Estates.** When the applicant for a death benefit is the personal representative of the estate of the deceased, the board can approve the application, but actual payment of the death benefit will be withheld by the director until the necessary legal documents have been submitted by the executor or administrator and such have been approved by the legal advisor.

**History:** 1-2-56; am. Register, February, 1970, No. 170, eff. 3-1-70.

**Ret 5.41 Disability qualification.** (1) In the case of an application for a disability annuity the director shall obtain a medical certification as to total and permanent disability as set forth in (4) and (5) from the applicant's attending physician and from the municipal physician, or if there be no municipal physician then from the municipal health officer if he is a licensed physician. If the director cannot obtain such certification from a municipal physician or health officer, then he shall request such certification from a physician he believes will be approved by the board.

(2) It shall be the responsibility of the participating municipality and the participating employe to furnish and to pay for the certifications required by (1). The board, however, may authorize the expenditure of such sums as are necessary to obtain any supplemental medical examination or report which may be required by the board in order to make an informed decision regarding any application for a disability annuity or a special disability annuity.

(3) The director is authorized to require and to spend such sum as is necessary for a medical examination pursuant to section 41.13 (2) (d), Wis. Stats.

(4) A participating employe shall be considered to qualify under section 41.13 (2), Wis. Stats., only if the physicians certify that the applicant is unable to perform the duties of any position, either in municipal employment or elsewhere,

(5) A participating employe shall be considered to qualify under section 41.13 (3), Wis. Stats., only if the physicians certify that the applicant can no longer efficiently and safely perform the duties required by his position, and such condition is unlikely to improve.

(6) In the case of each application pursuant to section 41.13 (3), Wis. Stats., the agent specified in section Ret 3.01 shall submit a statement as to whether in his judgment the applicant can efficiently and safely perform the duties required by his position.

**History:** 1-2-56; am. Register, April, 1960, No. 52, eff. 5-1-60; r. and recr. (2), Register, December, 1966, No. 132, eff. 1-1-67; am. (1), (3), (4), (5) and (6), Register, February, 1970, No. 170, eff. 3-1-70.