



MIKIE SHERRILL
Governor

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
(609) 292-7524/TRS 711 (609) 292-6683
www.nj.gov/treasury/pensions

Mailing Address:
P.O. Box 295
Trenton, NJ 08625-0295
Location:
50 West State Street
Trenton, New Jersey

AARON BINDER
State Treasurer

DAVID RIDOLFINO
Acting Director

October 21, 2026

VIA REGULAR MAIL

Maurice Thompson
[REDACTED]

RE: PERS [REDACTED]

FINAL ADMINISTRATIVE DETERMINATION

Dear Mr. Thompson:

I am writing in reference to the decision of the Board of Trustees ("Board") of the Public Employees' Retirement System (PERS) denying your application for Deferred retirement benefits. At its meeting of May 20, 2026, the Board found that you were ineligible for Deferred retirement benefits in accordance with N.J.S.A. 43:15A-38 because you were dismissed for cause on charges of misconduct or delinquency directly related to your employment.

Subsequently, you filed a timely appeal, which the Board considered at its meeting on September 16, 2026. Finding no genuine issue of material facts in dispute, the Board denied your request for an administrative hearing and directed the undersigned to draft a Final Administrative Determination. Findings of Fact and Conclusions of Law as outlined below were presented to and approved by the Board at its meeting of October 21, 2026.

FINDINGS OF FACT

The Board made the following factual findings.

The record before the Board establishes that you were enrolled in the PERS effective October 28, 1995, as a result of your employment as a Human Service Assistant with North Jersey Developmental Center. Your employment continued with this employer until January 15, 2015, when you accepted a position as an Assistant Supervisor of Professional Residential Service with the Vineland Developmental

Center (Vineland). Your employment continued with this employer, and you held the same position until your termination.

By way of a Preliminary Notice of Disciplinary Action (PNDA) dated January 28, 2020, Vineland charged you with violating multiple Administrative Orders: Violation of a rule, regulation or policy procedure order or administrative decision; Falsification: intentional misstatement of material fact in connection with work, employment, application, attendance or in any record, report, investigation or other proceeding; Gross sexual imposition such as touching, grabbing or assault; Other Conduct; Conduct unbecoming a public employee; Discrimination that affects Equal Employment Opportunity including sexual harassment; and Other sufficient cause. You were suspended with pay and Vineland sought your removal. An Amended PNDA changed the suspension to without pay.

The charges originated from a complaint filed on October 16, 2018, with the Office of Equal Employment Opportunity (EEO) by an employee in your unit. The complaint alleges incidents of sexual harassment, specifically unwelcome sexual advances involving inappropriate physical contact and solicitation for sex. The EEO's ensuing investigation substantiated the allegations and found that you violated the New Jersey State Policy prohibiting discrimination.

Similar charges were brought against you in a PNDA dated May 11, 2020. These charges pertain to your interview with the EEO on January 9, 2020, concerning text messages sent to you by a co-worker. During the interview, you informed the EEO that you did not recall responding to the messages. However, documentation confirmed that you texted back, advising that the messages were inappropriate. As a supervisor, you were obligated to report all violations to the EEO, but you failed to do so.

On December 9, 2020, a hearing took place. In the report dated December 11, 2020, the Hearing Officer found that Vineland met its burden of proof by the evidence presented. The Hearing Officer recommended that the charges be sustained and the penalty of removal be upheld. By way of a Final Notice of Major Disciplinary Action dated December 29, 2020, you were removed from employment with Vineland effective January 30, 2020.

At the time of your termination from public employment, you were 56 years of age, and your membership account reflected a total of 23 years and 9 months of PERS service credit. Therefore, at that time, the only benefit you could apply for was a Deferred retirement. On January 1, 2024, you filed an application for Deferred retirement effective February 1, 2024.

At its meeting on May 20, 2026, the Board reviewed all relevant documentation and determined that you were removed for cause on charges of misconduct or delinquency directly related to your employment and thus, are not eligible for a Deferred retirement under the provisions of N.J.S.A. 43:15A-38. Consequently, the Board denied your retirement application. See also In re Hess, 422 N.J. Super. 27 (App. Div. 2011). On July 13, 2026, you appealed the Board's decision.

At its meeting on September 16, 2026, the Board considered your appeal and finding no genuine issue of material fact in dispute, denied your request for an administrative hearing. The Board directed the undersigned to draft detailed Findings of Fact and Conclusions of Law for review at its October 21, 2026, meeting.

CONCLUSIONS OF LAW

Tier 1 and 2 PERS members with 10 or more years of service are eligible to file for Deferred retirement benefits upon reaching 60 years of age. The eligibility criteria for Deferred retirement benefits are outlined in N.J.S.A. 43:15A-38, which states, in pertinent part:

Should a member of the Public Employees' Retirement System, after having completed 10 years of service, be separated voluntarily or involuntarily from the service, before reaching service retirement age, and not by removal for cause on charges of misconduct or delinquency, such person may elect to receive:

- (a) The payments provided for in section 41b of this act,¹ if he so qualifies under said section, or;
- (b) A deferred retirement allowance, beginning at the retirement age...

[(Emphasis added)].

At the time of your dismissal from employment, you were 56 years of age, and your membership account reflected a total of 23 years and 9 months of PERS service credit. Therefore, at that time, the only

¹ N.J.S.A. 43:15A-41

benefit for which you could apply was a Deferred retirement. Based on the plain language of the statute as applied to the facts in the record, the Board determined that you are not eligible for Deferred retirement benefits because you were removed for cause on charges of misconduct or delinquency directly related to your employment. See In re Hess, 422 N.J. Super. 27 (App. Div. 2011) (holding that ineligibility for Deferred retirement occurs when a member is terminated for misconduct or delinquency related to the employment).

In your appeal, you claim that over the years, you have been trying to obtain a hearing to restore your reputation but have been unsuccessful in doing so. Additionally, you contend that no documentation exists to substantiate the allegations against you. Nevertheless, the disciplinary matter was an issue between you and Vineland; the PERS Board was not a party to this matter. Accordingly, the Board's decision is based upon the record presented as it currently stands, as it is not within the purview of the Board to relitigate your matter. The Board is governed by the plain language of the statute, which renders individuals terminated for cause directly related to their employment ineligible for Deferred retirement benefits.

You are eligible to withdraw your accumulated pension contributions remitted during active membership, and you may request an *Application for Withdrawal* by writing to Robin Willever, Supervisor, Loan/Withdrawal Section at the Division, at the address above. **Nonetheless, you are cautioned against filing the withdrawal application if you intend to appeal the Board's determination. Withdrawal terminates all rights and privileges of membership.**

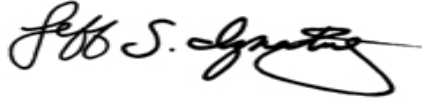
As noted above, the Board has considered your written submission and all documentation in the record. Because this matter does not entail any disputed questions of fact, the Board was able to reach its findings of fact and conclusions of law on the basis of the retirement system's enabling statutes and without the need for an administrative hearing. Accordingly, this correspondence shall constitute the Final Administrative Determination of the Board of Trustees of the Public Employees' Retirement System.

You have the right to appeal this final administrative action to the Superior Court of New Jersey, Appellate Division, within 45 days of the date of this letter in accordance with the Rules Governing the Courts of the State of New Jersey.

All appeals should be directed to:

Superior Court of New Jersey
Appellate Division
Attn: Court Clerk
PO Box 006
Trenton, NJ 08625

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Ignatowitz". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeff S. Ignatowitz, Secretary
Board of Trustees
Public Employees' Retirement System

G-12/mer
C: J. Ehrmann (ET); R. Willever (ET)