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Dear Ms. Walsh,

I read with interest your articles regarding the state of the New Jersey pension system. As one who has been negatively affected by the Public Employees Retirement System and its Board of Trustees, I can only hope that inquiries such as yours will lead to a cleaning up of the system and its administrators with the end result that the rules and regulations of the system will be fairly applied.

I have been dealing with PERS since June 2000 in an attempt to hold them to their written promises as well as their responsibilities as they relate to me and several hundred other employees throughout the State of New Jersey with respect to pension enrollments and the inequitable application of the laws regulating the system. In a nutshell, I am a veteran and as of June 30, 2000 I retired as a 25 ½ year employee in the County of Salem. I have fought the PERS all the way to the NJ Supreme Court and have not prevailed, based essentially on the meaning of the word "temporary." They have held, contrary to law, that with more than 25 years of continuous service to one local government employer, I was, for all that time "temporary." There is a statute in place, which I can cite for you if you are interested, which states that "temporary Job Training Partnership Act (JTPA) employees are not eligible for enrollment in PERS." At the time the statute was first presented to Governor Kean, he sent it back on a conditional veto, requiring that "all JTPA employees" be excluded; however, the legislature rejected the term "all" and inserted the term "temporary." During my legal battle with the State, both the Attorney General's Office and the Superior Court of New Jersey used the terms "temporary" and "all" interchangeably. There are two NJ Court cases reported dealing exactly with the issue of temporary and yet neither has been acknowledged by the AG or the Court. (I did have a favorable decision the first time I appealed the Board of Trustee's decision but that is an unpublished opinion which was totally ignored by the Board, the second Appellate Panel and the Supreme Court.) The end result is, there are several hundred local government employees across the state who are being denied enrollment and, in some cases, retirement, while there are hundreds more across the state who are similarly situated and yet are enrolled or retired. The inequities of the situation are profound and have an impact on the pension system and its resources.

I have a four page synopsis of my situation prepared. If you are interested in at least exploring this matter further, I would be happy to share a PDF copy of this synopsis with you by email or regular mail.

Thank you for your time,  
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