

Larry McAfee
Littleton
LD 2169

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Testimony In Opposition

LD 2169 An Act to Improve the Public Employees Disability Retirement Program by
Modifying Provisions Controlling the Reduction of Benefits and Clarifying
Terminology

Good afternoon, Sen. Tipping, Rep. Roeder, and to all the honorable members of the
Labor Committee.

My name is Larry McAfee. I live in Littleton, Maine. I worked as a bus driver and custodian for the Houlton schools for two decades. I have been a MainePERS disabled retiree since a workplace injury forced me into disability retirement about 2012 at age 49. My disability consists of having a very bad limp causing a worsened back problem. I have to have special shoes lifted a full 1" on left shoe. My left leg does not bend as it should because of all the surgeries due to the work injury and the breakage. It's hard to climb stairs, walk very far (I mean feet not miles!). It is very hard to get in and out of vehicles. I struggle day to day trying to do things. Since becoming disabled money has mostly been very tight. It has been hard to deal with any vehicle or home repairs. My medications cost hundreds of dollars every month. My wife does the work around that house that I used to do.

Thank you for the opportunity to testify in opposition to LD 2169, as I stated under LD 2145 last week, while I am for reforming the disability program, I am against the details in the system's bill. I hope the committee will amend the bill and completely remove the MainePERS Workers Compensation offset from the MainePERS disability retirement program laws.

Secondly, whatever is done favorably to disabled retirees, please amend the system's bill to include me and the other currently disabled retirees, not just applicants of the future. I need any available adjustments made to my benefit which is reduced for years to come due to my WC settlement three years ago, money that is now mostly gone.

My 59% MainePERS disability benefit should be over \$1600/month. After the committee stopped the SSDI offset last year in LD 1638, my benefit went from \$180 to \$524 per month. [Thank you for that!] My payment was also reduced, because even though I started MainePERS disability retirement while receiving Workers Compensation, MainePERS paid the full 59% benefit to me for 6 months before telling me about or applying the Workers Compensation offset to my benefit. All of a sudden they were taking almost my whole benefit, down to the "actuarial equivalent." Then they said because of their error calculating the benefit at the start, the employees had overpaid me. They told me these overpayments had to be paid back to MainePERS and they reduced my monthly benefit even more.

My Workers Compensation settlement required me to waive my rights to any future claims against the Houlton school system. Having the bad luck of being an injured worker and permanently disabled by that injury, I should not be penalized by MainePERS and denied the 59% disability benefit I and my employer paid for. I need every penny of my 59% MainePERS disability benefit! The only other income I receive is SSDI at about \$1,200/month. It would mean a lot to increase my income by eliminating the Workers Compensation offset for current and future disabled retirees.

Thank you for your attention to this bill which, if amended by the committee, could help me and my family very much. Please require MainePERS to eliminate the Workers Compensation offset and also require them to continue on with the much needed reform efforts at the MainePERS disability retirement program.