

FAQ: Release of Retiree Information to the Statesman Journal and Oregonian

Q1: Will PERS post the retiree data online?

A: We have no plans to post this data at this time.

Q2: Will the Statesman Journal and Oregonian post the retiree data online?

A: We do not know if the newspapers will post the data or how they will use the data.

Q3: In what form will you provide the data to these newspapers?

A: We have not determined the format to provide the data.

Q4: Can I get a copy of this data when it is released?

A: You will need to submit a public records request. Information on [how to request public records](#) is posted on the PERS website.

Q5: What will happen if you get additional requests for other information like a retiree's address, age at retirement, or benefit option selected?

A: Oregon Revised Statutes 192.502(12) contains a specific exemption for some of the public records PERS holds. That exemption applies to a retiree's address, telephone number, and other nonfinancial membership records. The [public record orders](#) concluded that this exemption did not apply to the records sought by the newspapers in these requests; the extent to which that exemption might include a retired member's age at retirement or benefit option selected has not been addressed by the Attorney General at this point.

Q6: Will the information disclose that I am on a disability retirement?

A: The November 21, 2011 information release will not include that information. The March 9, 2012 information release will show the plan under which the member retired.

Q7: Will the information disclose my job classification (e.g., police officer, educator, etc.)?

A: No, that is not part of the court judgment.

Q8: When and how did you let retirees know about the data requests and the resolution?

A: PERS posted information on its [website in October 2010](#) and posted [subsequent information in November 2010](#). Additional information was posted online in [December 2010](#). We also alerted retirees with an article in its December 2010 newsletter, *Perspectives*, that is mailed to all retirees.

The court judgments were issued in early September 2011 and PERS posted [information regarding the public records resolution](#) on its website at that time. We also mailed a letter to all monthly benefit recipients in September 2011 explaining the public records disclosure.

The December 2011 PERS newsletter, *Perspectives*, will also have information regarding the disclosure requirements.

Q9: Why doesn't PERS (or someone else) appeal the court judgments?

A: The court judgments are not being appealed because they are the result of a mediated settlement between PERS and the two newspapers.

Q10: To whom do I voice my concerns about the release of retiree information?

A: You can talk to your former union representative, the Attorney General's office, or the newspapers. You can also advocate for a change in the public records law to your [state representative](#) or [senator](#).

PERS is in the process of updating Oregon Administrative Rule 459-060-0020, *Confidentiality of Member Records*, to conform the rule to the court judgments. You can [read and comment on the rule](#) on the PERS website.