

**Retirement Board**

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Memorandum

To: Retirees

From: Tina Leiss, Executive Officer

Date: January 22, 2014

Re: *PERS vs. Reno Newspapers*

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**Notice to Nevada PERS Retirees Regarding Individual Pension Records**

*Nevada Supreme Court Issues Order Regarding Public Records Request for Retiree Records*

The Nevada Public Employees' Retirement System (System) is sending this notice to inform retirees of a recent Nevada Supreme Court decision that impacts the Retirement System's long-standing policy and interpretation of NRS 286.110 (3) and NRS 286.117 regarding the confidentiality of individual member and retiree records. This Order requires the System to release a payment register that includes the names of all retirees along with monthly benefit amounts.

On January 19, 2011, the Reno Gazette Journal (RGJ) requested that the System provide information regarding retirees of the System. The System denied the request and on May 27, 2011, the RGJ filed a petition in district court. On December 12, 2011, the district court ordered the System to produce a report to the RGJ concerning each retired employee currently receiving a benefit containing the name, employer, salary, date of hire, date of retirement, and amount of monthly benefit. The System appealed this order to the Nevada Supreme Court in January 2012.

On November 14, 2013, the Nevada Supreme Court issued its opinion holding that individual files of members and retirees are confidential. However, the Court also ruled that "where information is contained in a medium separate from the individuals' files, including in administrative reports generated from data contained in individuals' files, such reports or other media is not confidential merely because the same information is also contained in individuals' files." After careful review, the System has determined that the payment register must be released pursuant to the Order. This register may be released as early as January 27, 2014.

Retirees with questions regarding this notice may send an email to [nvpers@nvpers.org](mailto:nvpers@nvpers.org) or call toll free 1-866-473-7768 between 8 a.m. and 5 p.m. Monday through Friday.