

ATTACHMENT B

STAFF'S ARGUMENT

STAFF'S ARGUMENT TO ADOPT THE PROPOSED DECISION

Angela M. Woodard (Respondent) was employed by California Department of Corrections and Rehabilitation (CDCR) as a Corrections Case Records Analyst. By virtue of this employment, Respondent was a state industrial member of CalPERS.

On October 20, 2011, Respondent retired for service with an effective retirement date of October 29, 2011. She received her first retirement allowance warrant on or about November 14, 2011.

On March 13, 2013, Respondent contacted CalPERS and inquired about changing her service retirement status to disability retirement. CalPERS provided Respondent with disability retirement information in its publication titled, "Guide to Completing Your CalPERS Disability Retirement Election Application," commonly called "Pub 35."

On April 1, 2013, Respondent submitted an industrial disability retirement (IDR) application to CalPERS, claiming disability based on "fluid surrounding heart" and infectious bronchitis. On April 24, 2013, CalPERS sent Respondent a letter rejecting the IDR application as it was incomplete.

On May 21, 2013, Respondent submitted a corrected IDR application to CalPERS. CalPERS requested that Respondent provide a job duty statement for her position as a Corrections Case Records Analyst. On June 10, 2013, CalPERS received a letter from Respondent stating that the duty statement was not available.

On August 8, 2013, CalPERS sent Respondent another letter requesting required information, including the job duty statement, the physical requirements of her position, a physician's report on disability, and a workers' compensation carrier request form. The letter stated that if Respondent did not provide the additional documents within 30 days, the application would be cancelled.

CalPERS did not receive any additional documents. On October 11, 2013, CalPERS sent Respondent a letter notifying her that her application was cancelled for failure to provide the requested documents.

On February 26, 2014, Respondent contacted CalPERS via telephone and inquired about the status of her IDR application. CalPERS notified Respondent that her IDR application was cancelled. CalPERS further notified Respondent that if she still wished to be considered for disability retirement, she would need to submit a new IDR application. CalPERS mailed another Pub 35 to Respondent's address.

On June 11, 2014, Respondent submitted a new IDR application to CalPERS. On August 22, 2014, CalPERS sent Respondent a letter requesting she provide additional documents with her application. The letter again asked Respondent to provide the job duty statement, the physical requirements of her position, and a physician's report on

disability. The letter stated that if Respondent did not provide the additional information within 21 days, her application would be cancelled.

CalPERS did not receive additional documents. On October 4, 2014, CalPERS sent Respondent a letter notifying her that her application was cancelled for failure to provide the requested documents.

On October 10, 2014, Respondent contacted CalPERS and requested another IDR application. CalPERS subsequently sent Respondent another IDR application via another Pub 35.

On January 7, 2020, Respondent submitted a new IDR application to CalPERS. On January 16, 2020, CalPERS sent Respondent another letter requesting additional documents, including the job duty statement, the physical requirements of her position, a physician's report on disability, a workers' compensation carrier request form, and medical records. The letter stated that if Respondent did not provide the additional information within 21 days, her application would be cancelled.

When Respondent failed to provide the additional information requested, CalPERS sent Respondent a letter, dated February 13, 2020, notifying her that her application was cancelled for failure to provide the requested documents. After submitting its cancellation letter, CalPERS received the physician's report on disability from Respondent. The form states that a treating physician who specializes in the member's disabling condition should complete the form. Instead, Respondent wrote at the top of the form: "No Doctor to fill this out, Doctor that diagnosed me I started seeing 2/17." CalPERS did not reopen the application.

On March 5, 2020, CalPERS received another IDR application from Respondent. The IDR application reflects a signature date of January 7, 2020. On March 10, 2020, CalPERS sent another letter like the ones discussed above requesting the same missing documentation with the IDR application. On March 30, 2020, CalPERS sent Respondent an additional letter requesting the same documentation. The letters stated that if Respondent did not provide the additional information within 21 days, her application would be cancelled. CalPERS did not receive additional documents. On June 15, 2020, CalPERS sent Respondent another letter notifying her that her application was cancelled for failure to provide the requested documents.

Respondent submitted eight additional similar IDR applications between January 13, 2021, and November 13, 2023. For each, CalPERS sent Respondent a similar letter requesting additional documents as discussed above. Respondent submitted no further documents. CalPERS subsequently cancelled each IDR application for failure to submit the requested documents.

Ultimately, on February 11, 2025, CalPERS issued a determination letter to Respondent, denying her IDR application as untimely and providing appeal rights. Respondent appealed this determination and exercised her right to a hearing before an Administrative Law Judge (ALJ) with the Office of Administrative Hearings. Prior to the hearing, CalPERS explained the hearing process to Respondent and the need to

support her case with witnesses and documents. CalPERS provided Respondent with a copy of the administrative hearing process pamphlet, answered Respondent's questions, and clarified how to obtain further information on the process.

A hearing was held on November 26, 2025. Neither Respondent nor CDCR appeared at the hearing. The matter proceeded as a default pursuant to Government Code section 11520, subdivision (a), as to both Respondent and CDCR.

After considering all the evidence introduced, as well as arguments made by CalPERS, the ALJ denied Respondent's appeal. The ALJ found that Respondent's status as a CalPERS member ceased upon her service retirement on October 29, 2011. She received her first pay warrant for service retirement on or about November 14, 2011. To change her retirement status, Respondent needed to file a request to make that change with CalPERS within 30 days of receipt of her first warrant. Respondent first applied for a change of retirement status on April 1, 2013, via her IDR application—more than 16 months after she received her first warrant. As her requested change was submitted more than 30 days after receipt of her first warrant, her application was untimely.

The ALJ further found that Respondent did not meet the necessary criteria under Government Code section 20160 that would allow CalPERS to find the correction of a mistake in Respondent's untimely filing of her IDR application. In her more than 10 applications spanning more than nine years, Respondent did not provide any information to CalPERS that could be considered a proposed error or excuse explaining her untimely application filed in 2013, or for any subsequent application. CalPERS responded to each application requesting additional information, which Respondent did not supply.

Also, Respondent did not appear at the hearing, despite being properly served notice of the date and time of the hearing. She did not provide any testimony or documentary evidence explaining her decision to wait more than one year after her initial service retirement to submit a claim for disability retirement, and also failed to explain her failure to pursue any of the multiple applications she submitted in the years that followed. The party seeking correction of an error or omission bears the burden of presenting documentation to establish her right to correct her application.

In the Proposed Decision, the ALJ appropriately concluded that Respondent failed to meet her burden and therefore denied her appeal.

For all the above reasons, staff argues that the Proposed Decision should be adopted by the Board.

February 18, 2026

Austa Wakily
Senior Attorney