

CORRECTED COPY



George Deukmejian, Governor

TO: PERSONNEL OFFICERS
LABOR RELATIONS OFFICERS

REFERENCE CODE : 83-23-1
EFFECTIVE DATE : January 1, 1984
EXPIRATION DATE: Indefinite
DATE OF ISSUE : December 30, 1983

SUBJECT: Employee Information on Status and
Benefits, Reduced Worktime for Partial
Service Retirement. Government Code
Sections 19996.30-19996.40 (Chapter
1258, Statutes of 1983, SB 922).

On January 1, 1984 the Partial Service Retirement Act (PSRA) will become effective. The PSRA makes it the policy of the State to offer partial service retirement to employees where feasible, whether or not a personnel reduction is contemplated. This memorandum provides guidelines for implementation of the provisions of the PSRA, Chapter 1258/83 (SB 922). It is important to note that all options available would be totally voluntary on the employee's part and the appointing authority retains the discretion to deny an employee's request to reduce his/her worktime for partial service retirement.

The Department of Personnel Administration (DPA) and the Public Employees' Retirement System (PERS) have developed the following guidelines for implementation of the PSRA. While the Act becomes effective on January 1, 1984, the PERS will require a minimum of 45 to 60 days to issue a reduced service retirement allowance which may be retroactive to January 1, 1984. Employees who wish to have an effective date of January 1, 1984 must have reduced their worktime to the mutually agreed percentage on that date. Employees who reduce their worktime under the provisions of this Act are active State employees, not retired members of PERS.

The DPA, in conjunction with the PERS and the State Controller's Office, requests appointing authorities limit employee options to the percentage reductions listed on the chart provided with this memorandum. Any percentage reductions not listed will require the prior approval of the DPA.

The following guidelines will apply to all employees excluded from SEERA coverage and may apply to employees covered by the negotiated Memorandums of Understanding (MOU). Be sure you check the specific MOU for represented employees before applying these guidelines. Where provisions of this new law are in conflict with the provisions of an MOU reached pursuant to Section 3517.5, the MOU shall be controlling.

If you have any questions regarding the implementation of the PSRA, please call Marnie Badgley at (916) 324-0439, ATSS 454-0439.


R. L. RUTHERFORD, Chief
Personnel Services Branch

DEPARTMENT OF PERSONNEL ADMINISTRATION

CHART FOR COMPUTING VACATION, SICK LEAVE, AND HOLIDAY CREDITS FOR FRACTIONAL TIME BASE EMPLOYEES* PARTICIPATING IN THE PARTIAL SERVICE RETIREMENT ACT

PERCENTAGE TIME BASE		TO RECEIVE FULL WARRANT, EMPLOYEE MUST WORK HOURS SHOWN BELOW (INCLUDE PAID ABSENCES AND HOLIDAY PAY). HOURS OVER THIS FIGURE ARE RECORDED AS EXCESS TIME. EXCLUDE ANY HOURS OVER 40 IN ONE WEEK; THESE ARE OVERTIME.	HOURS OF WORK REQUIRED TO QUALIFY PAY PERIOD.	HOURS OF MONTHLY VACATION CREDIT PER VACATION GROUP							HOURS OF MONTHLY SICK LEAVE AND HOLIDAY CREDIT	FRACTIONAL TIME BASE			
ACTIVE SERVICE	PARTIAL RETIREMENT			7	10	11	12	13	14	15			ACTIVE SERVICE	PARTIAL RETIREMENT	
		<u>21 day-month-22 day</u>													
.80	.20	134.4	140.8	70.4	5.6	8.0	8.8	9.6	10.4	11.2	12.0	6.4	4/5	1/5	
.75	.25	126.0	132.0	66.0	5.3	7.5	8.3	9.0	9.8	10.5	11.3	6.0	3/4	1/4	
.70	.30	117.6	123.2	61.6	4.9	7.0	7.7	8.4	9.1	9.8	10.5	5.6	7/10	3/10	
.625	.375	105.0	110.0	55.0	4.4	6.3	6.9	7.5	8.1	8.8	9.4	5.0	5/8	3/8	
.60	.40	100.8	105.6	52.8	4.2	6.0	6.6	7.2	7.8	8.4	9.0	4.8	3/5	2/5	
.50	.50	84.0	88.0	44.0	3.5	5.0	5.5	6.0	6.5	7.0	7.5	4.0	1/2	1/2	
.40	.60	67.2	70.4	35.2	2.8	4.0	4.4	4.8	5.2	5.6	6.0	3.2	2/5	3/5	

*Chart includes the increased accrual rate for managerial, supervisory, confidential, exempt and other employees statutorily excluded from collective bargaining effective July 1, 1983.

ADMINISTRATIVE GUIDELINES FOR THE PARTIAL SERVICE RETIREMENT ACT

SB 922, Chapter 1258, Stats of 1983 enacted the Partial Service Retirement Act (PSRA). The Act allows certain employees to reduce their work time, on a monthly basis, from not less than 20 percent to not more than 60 percent and also receive a partial retirement allowance. The Department of Personnel Administration has the administrative responsibility for the PSRA; however, each appointing power has the discretion to consider and approve requests for employee participation in the PSRA to the extent that necessary work at the Department will continue to be performed.

The following information is provided to explain the policy, eligibility criteria, employee benefits and program restrictions contained in the Partial Service Retirement Act.

I. ELIGIBILITY CRITERIA

Employees are eligible to request participation if they are:

- ° A full-time State miscellaneous employee working standard hours,
- ° Age 62 or older, and
- ° Credited with five years of Public Employees' Retirement System (PERS) service credit. (This includes any PERS public agency credit, but does not include credit from a county with a reciprocal agreement with the PERS.)

An employee is not eligible to participate if:

- ° Employed by the University of California
- ° Classified as State industrial, safety or patrol member.

II. CHANGE IN FRACTIONAL TIME BASE

The following are restrictions to changes in time base and must be approved by the appointing power:

- ° A fractional time base can be further reduced once each fiscal year.
- ° A fractional time base can be increased once each five years.
- ° Employees who receive department approval to voluntarily return to full-time are ineligible to participate in the PSRA for five years. Participants can be required to return to full-time employment by

the appointing power only if a state of emergency is declared pursuant to Government Code Section 8558 that affects the area of the State in which the employee works.

III. EMPLOYEE BENEFITS

Employees participating in PSRA are not considered "retired" until they elect full retirement. Therefore, benefits are earned in the following manner:

- ° HEALTH AND DENTAL BENEFITS: All participants, regardless of fractional time base are entitled to the same health and dental benefits as are provided by law for employees under the same circumstances who are employed full-time.
- ° HOLIDAYS (includes Personal Holiday):
 - a. Compensation is the proportionate amount of the work day based on time base. For example: a half-time employee would receive four hours compensation for each holiday in the pay period.
 - b. Holiday credit for holidays falling on non-work days is credited as excess hours; excess time must be supplemented for holidays falling on an eight-hour work day.
- ° LIFE INSURANCE: The life insurance benefit is provided to employees who are members of PERS irregardless of time base.
- ° INDUSTRIAL DISABILITY LEAVE (IDL): Participants are eligible for IDL regardless of their fractional time base.
- ° NONINDUSTRIAL DISABILITY INSURANCE (NDI): Participants are eligible for NDI regardless of their fractional time base.
- ° MERIT AND SPECIAL IN-GRADE SALARY ADJUSTMENTS (MSA and SISA): Participants are eligible to receive a prorated amount of the MSA or SISA after completion of the required six or twelve months of continuous service.
- ° SICK LEAVE: Sick leave is credited on a prorated basis on the first day of the monthly pay period following completion of a qualifying month; for example, a half-time employee receives four hours sick leave credit each month.
- ° RETIREMENT CONTRIBUTIONS: Employees coordinated with Social Security will continue to pay 5 percent of their total monthly salary in excess of \$513.00 per month. Employees who are not coordinated with Social Security will continue to pay 6 percent of their total monthly salary in excess of \$317.00 per month.

- ° SERVICE RETIREMENT CREDIT: Service credits are accumulated until they equal one month of full-time service; for example, employees working half-time (50 percent) must work two months to earn one month of full-time service employees.

VACATION: Vacation is credited on pro rata basis on the first day of the monthly pay period following a qualifying pay period. For example, a half time employee receives half of the hours of credit allowed per vacation group.

NOTE: Where provisions of this law are in conflict with the provisions of an MOU reached pursuant to Government Code Section 3517.5, the MOU shall be controlling.

IV. METHOD OF PAYMENT

Participants will receive two warrants; one warrant represents the retirement allowance and is issued from PERS. Retirement allowances are recalculated only when the employee has a change in time base or applies for service retirement.

The second warrant represents the corresponding portion of the full-time monthly rate for the employee's classification; participants are taxed on the earned income portion of the fractional time base; any taxes and all payroll deductions will be taken from this warrant. It is the employee's responsibility to ensure there is enough net income to cover any deductions.

V. EMPLOYEE STATUS

1. Extension of probationary periods that may be required because of the reduction of worktime feature must comply with State Personnel Board (SPB) Rule 321.
2. Order of layoff - Participants cannot routinely be subject to layoff ahead of full-time employees; however, they are subject to the same seniority and other layoff considerations as full-time employees in determining the order of layoff.
3. Promotional Opportunities - Employees may compete in promotional examinations for which they qualify; however, promotional opportunities could be affected if employees limit themselves to part-time eligibility in the exam.
4. Earned Income Credit - Employees in this program that reduce their gross income enough to qualify for Earned Income Credit should contact the State Controller.

VI. APPLICATION

An application form (DPA-062, Application for Partial Service Retirement) should be used by employees who have departmental approval for participation. These forms are pending final approval by PERS and will be distributed in the near future. To ensure that the retirement allowance is issued concurrent with the first warrant reflecting the fractional time base, employees should allow 45 to 60 days for PERS to process the retirement application.

DATE: December 30, 1983

INFORMATION COLLECTION AND ACCESS: Submission of the requested information is mandatory. The information requested will be used for administration of the Board's duties under the Retirement Law, the Social Security Act, the Public Employees' Medical and Hospital Care Act, and Government Codes 19996.30-19996.40, as the case may be; and failure to supply the information may result in the System being unable to perform its functions regarding your status. You have the right to review your membership files maintained by the System. For questions concerning your rights under the Information Practices Act of 1977, please contact the Information Coordinator, 1416 - 9th Street, P. O. Box 1953, Sacramento, California 95809, (916) 445-5030. Information collected by the System is pursuant to the Government Code 20000, et. seq.