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LEAGUE OF
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CalPERS “Limited Duration” Proposed Regulations

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Limited duration retired annuitants

There are two types of retired annuitant employment: “**extra help**” and interim (or acting) “**vacant position**” employment.

“**Extra help**” positions include the following restrictions:

1. Limited-duration work
2. Compensation
3. 960-hour limit

A Guide to CalPERS Employment After Retirement (page 9)

CalPERS retired annuitant regulations

The proposed regulations would define the term “**limited duration**” which governs the scope and length of retired annuitant work.

2 Years
(24 consecutive months)

CalPERS retired annuitant regulations

A city may extend the appointment no more than twice, up to 12 consecutive months per extension, beyond the initial limit of 24 consecutive months.

“2 + 1 + 1”

*24 consecutive months +
12 consecutive months +
12 consecutive months*

CalPERS retired annuitant regulations

The preliminary regulations would also allow employers to further extend appointments for retired annuitants beyond four years in rare circumstances and with restrictions.

2 + 1 + 1 + ? + ?

Beyond “2+1+1”

Two additional types of extensions may be requested:

1. An unlimited extension if the appointment does not exceed 120 hours per fiscal year
2. An extension of 12 consecutive months.
 - A CalPERS-covered employer may request this exemption more than once.

Beyond “2+1+1”

The CalPERS Board will grant one of the exemptions if the Board determines that **each** of the following conditions are met:

1. Certification by the employer’s governing body.
2. Exemption request follows specified deadlines.
3. CalPERS-covered employer completed a recruitment for the work and was unable to fill the position with that recruitment.

Limiting scope of work

Under the proposed regulation, "extra help" retired annuitants are eligible for appointments to a position:

- Involving work that is **substantially different** from work the retiree performed after retirement in another appointment for the same CalPERS-covered employer.
- With a different CalPERS-covered employer from any previous CalPERS-covered employer the retiree performed work for after retirement.

Limiting scope of work

(1) For purposes of this subdivision, an appointment is **defined** as either, a position involving work that is **substantially different** from work that the retired person performs after retirement in another position for the same CalPERS-covered employer, or a position for a different CalPERS-covered employer from any previous CalPERS-covered employer the retired person performed work for after retirement.

Additional information

Employment by a retired person prior to the effective date of this subdivision will **not count towards the limit of twenty-four consecutive months.**

Under these regulations **a retiree can have multiple (2+1+1+?) appointments** if the appointments are for different CalPERS-covered employers or at an employer they previously worked at doing a different job.

Feedback and discussion

Please share and discuss:

1. Your thoughts on the regulations
2. Specific examples of how your city uses retired annuitants and how the regulations as currently drafted would affect services

CONNECT

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