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RETIRED ANNUITANT APPROVAL FORM

To ensure compliant hiring practices with the California Public Employees' Retirement Law (PERL), this form must be completed by the department/unit and approved before hiring or appointing a Retired Annuitant. Once approved, retain the completed form in the Retired Annuitant's Personnel Action File (PAF).

RETIRED ANNUITANT INFORMATION

Name (First, Middle Initial, Last) _____ CIN _____

College _____ Department/Unit _____

Retirement Date _____ Phone _____ Email _____

ELIGIBILITY FOR RETIRED ANNUITANT APPOINTMENT

A Retired Annuitant may **only** serve without reinstatement from retirement and maintain CalPERS retirement benefits if appointed by a public employer:

- **During an emergency to prevent the stoppage of public business *or***
- **Because the retired person has specialized skills needed to perform work of limited duration** (Gov. Code sections 21224, 21229, and 7522.56).

Limited duration work is intended to:

- **Provide extra help to eliminate a backlog,**
- **Complete a time limited special project, *or***
- **Provide short-term support beyond what regular staff can reasonably complete.**

Extra help assignments should have a projected completion date for specific assignments and/or project goals and deliverables. Ultimately, work of limited duration is defined by a specific task, project, and/or organizational needs, as proposed by the employer. When the work is complete, the Retired Annuitant's employment must end. Retired Annuitants should not be considered permanent solutions to business needs, and their appointments cannot be indefinite, regardless of the nature of the Retired Annuitant's position and the terms of the relevant employment agreement. Retired Annuitant appointments without an established end date can lead to a violation.

For additional guidance, refer to the *Employment of a Retiree* section in the State Reference Guide (PDF) or Public Agency & Schools Reference Guide (PDF).

REQUEST FOR APPROVAL TO HIRE A RETIRED ANNUITANT

For approval to hire a Retired Annuitant, complete the information below, providing the expected duration of the appointment and the justification for the hire.

Appointment Information:

Appointment Start Date (mm/dd/yyyy) _____ Appointment End Date (mm/dd/yyyy) _____

Justification:

Is the Retired Annuitant being hired due to:

☐ **An emergency to prevent the stoppage of work**

☐ **Specialized skills needed to perform work of limited duration**

Describe the emergency being addressed or list the specialized skills the Retired Annuitant possesses for this limited duration appointment:

Explain what will happen to the department/unit's operations if the Retired Annuitant is not hired:

Describe the steps being taken to fill the position or otherwise meet ongoing department/unit needs:

WAITING PERIOD REQUIREMENT

Retired Annuitants must have retired on or after their normal retirement age without meeting additional requirements covered under Government Code sections 586.2 and 21220.5. Under Gov. Code section 7522.56, they must either:

- **Complete an 180-day waiting period between retirement and reemployment *or***
- **Qualify for an allowable exception, such as participation in the Faculty Early Retirement Program (FERP).**

Did the Retired Annuitant complete the 180-day waiting period or participate in the FERP program?

☐ **Completed the 180-day waiting period**

☐ **Participated in the FERP program**

ADDITIONAL RESTRICTIONS AND BENEFITS

A retired person cannot receive any benefits, incentives, compensation in lieu of benefits, or other forms of compensation in addition to the hourly rate, per Gov. Code sections 21221, 21224, 21229, and 7522.56.

The Retired Annuitant cannot receive:

- Sick Pay
- Vacation Pay
- Dental Benefits
- Housing
- Special Compensation
- Medical Benefits

The Retired Annuitant can receive:

- Deferred compensation plans (e.g., 401k, 457b[1])
- Employer property (e.g., cell phones, vehicles)[2]
- Uniform cleaning (net zero)
- Travel reimbursement (must be work related and net zero)
- Mileage (must be work related)[3]

Work-Hour Limitation:
Additionally, Retired Annuitants **may not work more than 960 hours each fiscal year** across all CalPERS employers. Retired Annuitant hours worked should be tracked to ensure the Retired Annuitant does not go over the 960-hour fiscal year limit. Hours worked are available for review by the employer and member in the myCalPERS system.

UNEMPLOYMENT BENEFITS RESTRICTION

A Retired Annuitant cannot be reappointed by any CalPERS employer if, within the 12 months before the reappointment start date, they received unemployment insurance compensation for prior Retired Annuitant employment with any public employer.

RETIRED ANNUITANT CERTIFICATION:

I certify that the above information is accurate. I have retired from the CSU on or after my normal retirement age and have not received unemployment insurance compensation during the 12 months prior to the reappointment start date.

Retired Annuitant Signature _____ Date _____

REQUIRED APPROVALS:

All approvals must be obtained prior to the start of employment.

Chair Signature _____ Date _____

Dean Signature _____ Date _____

Director of Faculty Affairs Signature _____ Date _____

[1] Contributions may only be made by the Retired Annuitant. Employers cannot contribute to a Retired Annuitant's deferred compensation plan.

[2] Employer property must be required for their job duties/position.

[3] Mileage must be documented (e.g., map or log). Employer policy must pay per mile; flat rates are not allowed. Commuting to and from home is not reimbursable.