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MEMORANDUM

TO: CalPERS Retirees

FROM: Jackie Kern
Manager for Academic Personnel

RE: Post-Retirement Employment and Unemployment Benefits

This memo is to inform you about legislation that impacts receiving unemployment benefits based upon post-retirement employment with the same employer.

Effective January 1, 2005 Senate Bill (SB) 1439 modified Government Code (GC) 21224 to clarify that retirees who are receiving a retirement allowance and who may work up to 960 hours in a fiscal year as a retired annuitant, cannot also receive a third public stipend in the form of unemployment benefits. The government code sections do not speak to whether an annuitant shouldn't apply for unemployment insurance, but rather speaks to the consequences of receiving unemployment benefits as a result of being a retired annuitant with a prior employer.

SB 1439 requires employers to exclude from hiring retirees who have collected unemployment insurance compensation during the 12 month period prior to an appointment eligible under Government Code 21224, if the retiree received any unemployment insurance compensation arising out of prior employment subject to this Government Code section with the same employer. Furthermore, a retiree who accepts an appointment after receiving unemployment insurance compensation pursuant must terminate that employment on the last day of the current pay period and shall not be eligible for reappointment for a period of 12 months following the last day of employment.

Please reference the following URL's for additional information:

A Guide to CalPERS Employment After Retirement

<https://www.calpers.ca.gov/docs/forms-publications/employment-after-retirement.pdf>

Post-Retirement Employment: CalPERS' Retirees

<https://csyou.calstate.edu/Policies/HRPolicies/HR2008-23.pdf>

If you have any questions about the information contained in this memo, please contact me at 278-7415.

4/3/17