

EMPLOYMENT OF PERS RETIREES

PERS retirees may be employed, without reinstatement from retirement, when the employment is limited to a specific duration. However, effective January 1, 2013, PERS retirees may not be employed by a CalPERS employer until a 180 day waiting period has passed. The 180-day waiting period starts from the date of retirement. The 180 day wait period provision applies without exception if the employee receives a Golden Handshake or any other employer incentive to retire.

The retiree may be employed subject to the following.

- a. Temporary employment must not exceed a total of 960 hours for all employers in any fiscal year (July 1 through June 30).
- b. Academic employees who elect to remain in CalPERS and then retire and accept a temporary assignment in a classified or academic position are subject to the restrictions in the retirement law.
- c. The governing body of a public agency may present CalPERS with a resolution, passed in a public meeting, that approves the appointment in which the employer has certified the nature of the employment and that the appointment is necessary to fill a critically needed position before the 180 days has passed. The appointment may not be placed on a consent calendar.
- d. Employers and employees will be specifically liable for unlawful PERS post retirement employment.

Education Code 88034
California Government Code 21153, 21155, 21156
CalPERS Public Agency & Schools Reference Guide