

Monthly Status Report – Enterprise Compliance Activity

March 2024

Presented to
Risk and Audit Committee
June 2024

Purpose

Provide the Risk and Audit Committee with compliance monitoring and oversight analytics to aid in fulfilling their role in overseeing key compliance and ethics activities.

Executive Summary

This report provides activity regarding four components of the Enterprise Compliance program for the month of March 2024. Those components are Form 700 filings, Personal Trading Monitoring, Ethics Helpline Complaints, and Mandatory Training completion rates.

- Of all the Board and Employee Form 700 filers, 99% were filed timely.
- Of all the Consultant Form 700 filers, 96% were filed timely.
- There were two Personal Trading violations for the month.
- There were 12 ethics complaints received in the month.
- Of the Mandatory Employee Trainings, 99% were completed on time.

Additional details relating to these compliance activities can be found in pages 5 through 15.

Table of Contents

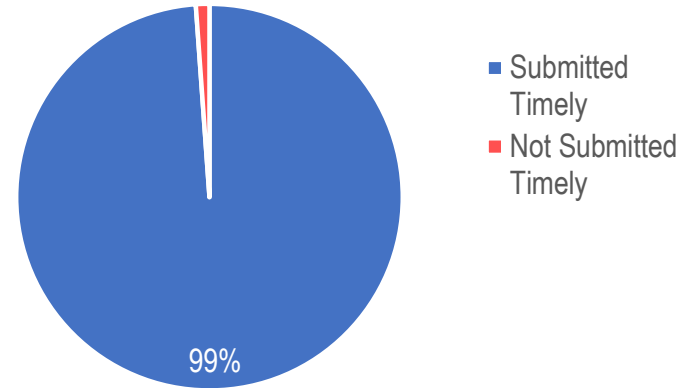
Page

5	Board and Employee Form 700 Filings <ul style="list-style-type: none">Filing status of Board Members and employees required to file Statements of Economic Interests – Form 700, mandated by the CalPERS – Conflict of Interest Code
6	Consultant Form 700 Filings <ul style="list-style-type: none">Filing status of consultants required to file Statements of Economic Interests – Form 700, mandated by the CalPERS – Conflict of Interest Code
7	Personal Trading Monitoring <ul style="list-style-type: none">Violations to CalPERS Personal Trading Regulations
9	Ethics Helpline <ul style="list-style-type: none">Complaints or reports received through CalPERS Ethics HelplineSummary of Closed Substantiated Complaints
15	Training Compliance <ul style="list-style-type: none">Mandatory Training
16	Appendix <ul style="list-style-type: none">Form 700: Statement DefinitionsPersonal Trading: Violation Type DefinitionsEthics Helpline: Complaint Category DefinitionsEthics Helpline: Case Status Definitions

Board & Employee Form 700 Filings

March 2024 Statement Activity (Board & Employee)					
Statement Type	Submitted Timely	Submitted Late	Outstanding	Referred to FPPC	Total
Assuming Office	14	2	2	-	18
Leaving Office	6	1	-	-	7
Amendment	14	-	-	-	14
Annual	406	-	-	-	406
Grand Total	440	3	2	-	445

**Percent Submitted Timely
March 2024**



Observations:

- There were 443 Board & Employee statements submitted in March 2024.
- There were two outstanding Board & Employee statements as of 03/31/2024.

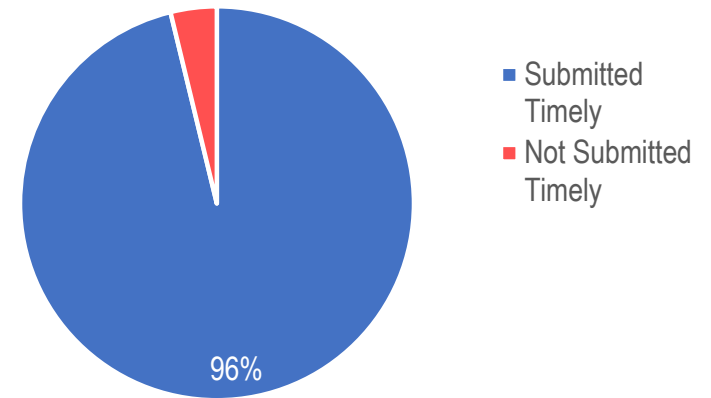
Notes:

- *Monthly statement activity includes all Form 700 statements submitted during the month and all outstanding statements.*
- *Amendments are due within 30 days of the request date which is a CalPERS initiated deadline.*
- *See Appendix for related details and definitions.*

Consultant Form 700 Filings

March 2024 Statement Activity (Consultant)					
Statement Type	Submitted Timely	Submitted Late	Outstanding	Referred to FPPC	Total
Assuming Office	4	2	-	-	6
Leaving Office	2	2	1	-	5
Amendment	13	-	-	-	13
Annual	108	-	-	-	108
Grand Total	127	4	1	-	132

Percent Submitted Timely
March 2024



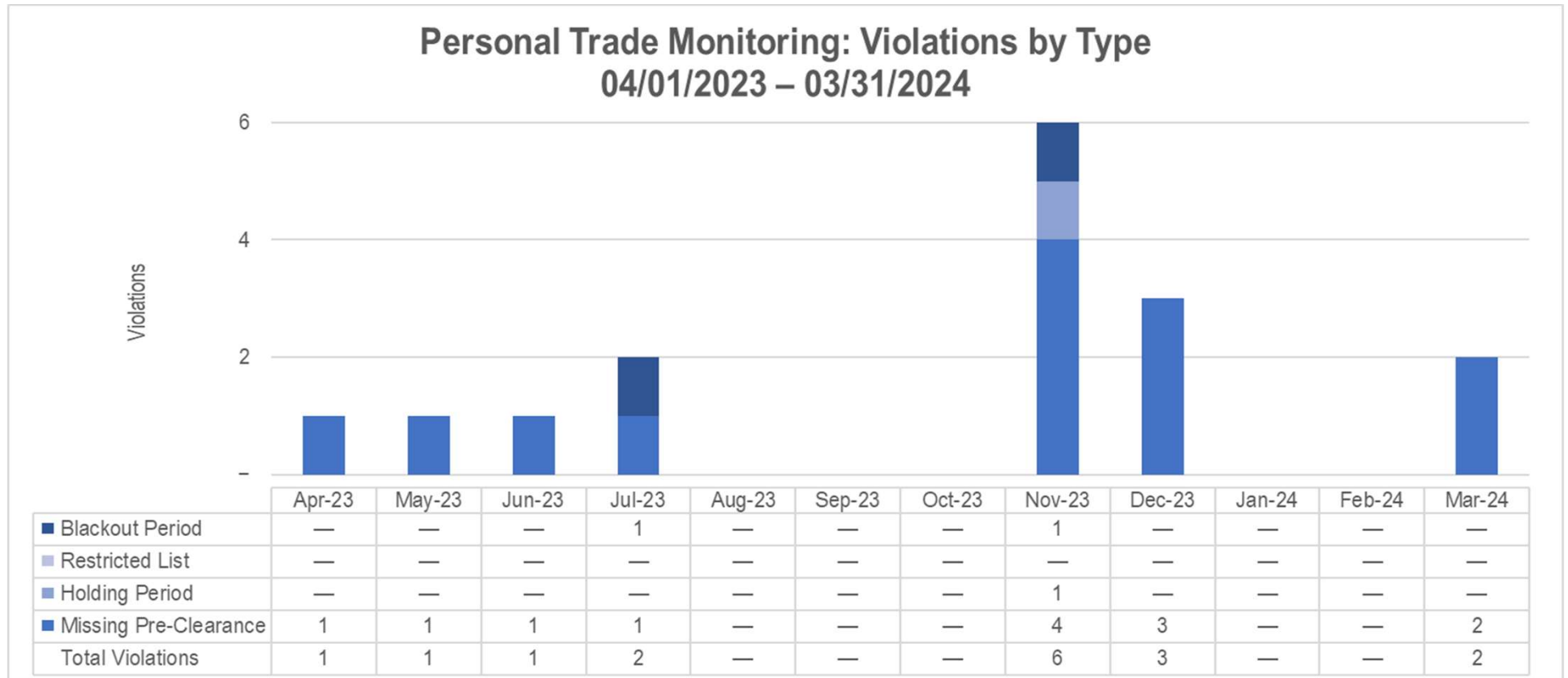
Observations:

- There were 131 Consultant statements submitted in March 2024.
- There was one outstanding Consultant statement as of 03/31/2024.

Notes:

- Monthly statement activity includes all Form 700 statements submitted during the month and all outstanding statements.
- Amendments are due within 30 days of the request date which is a CalPERS initiated deadline.
- See Appendix for related details and definitions.

Personal Trade Monitoring: Violations



Observation:

- One Covered Person failed to pre-clear their transactions, resulting in two Missing Pre-clearance violations.

Notes:

- See Appendix for related details.
- Multiple violations can be triggered by a single Covered Person at one time.

Personal Trade Monitoring: Personal Trading Affirmations

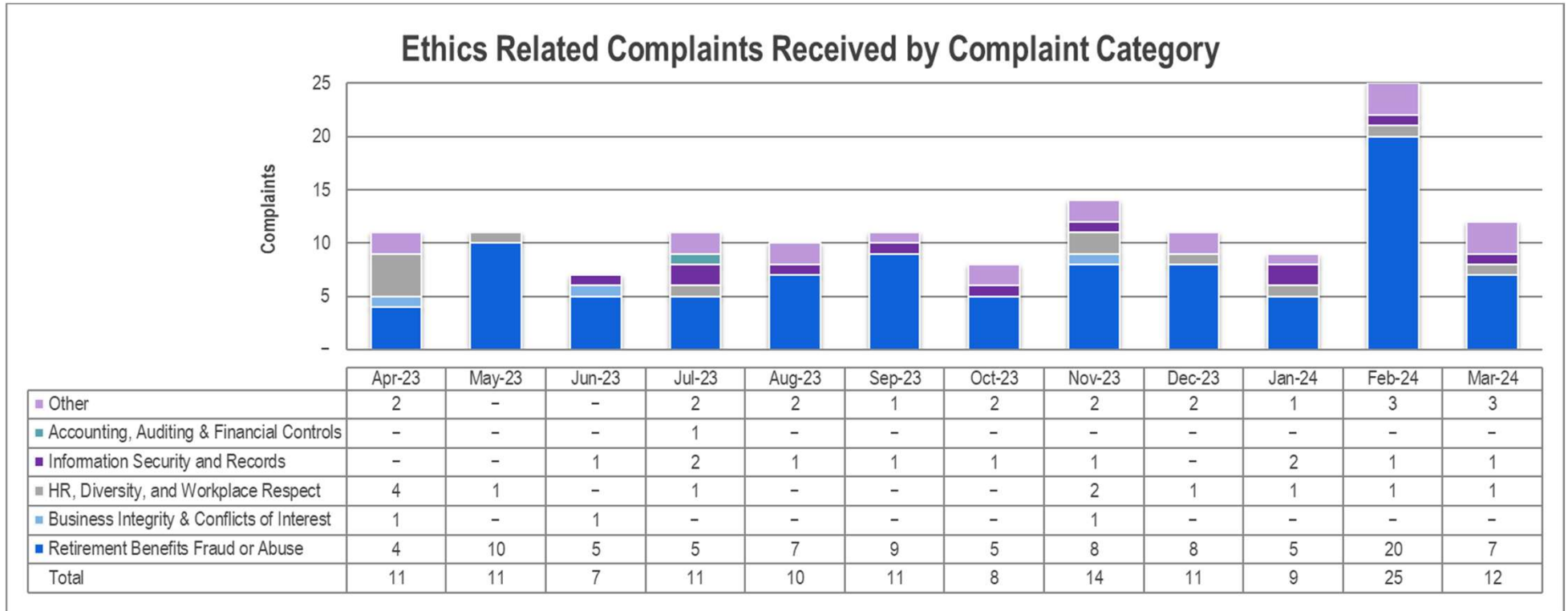
Personal Trading Affirmation / Attestation Filing Report March 2024				
Affirmation Type	Total Due	Submitted Timely	Submitted Late	Outstanding
Initial Personal Trading Affirmations	8	8	-	-
Annual Personal Trading Attestations	402	402	-	-
2024 Managed Account Certifications	30	30	-	-
Total	440	440	-	-

Observations:

- There were eight Initial Personal Trading Affirmations due in March 2024; all affirmations were submitted timely.
- There were 402 Annual Personal Trading Attestations submitted in March 2024; all attestations were submitted timely.
- There were 30 2024 Managed Account Certifications submitted in March 2024; all certifications were submitted timely.

Note: See Appendix for related details.

Ethics Helpline: Complaints Received

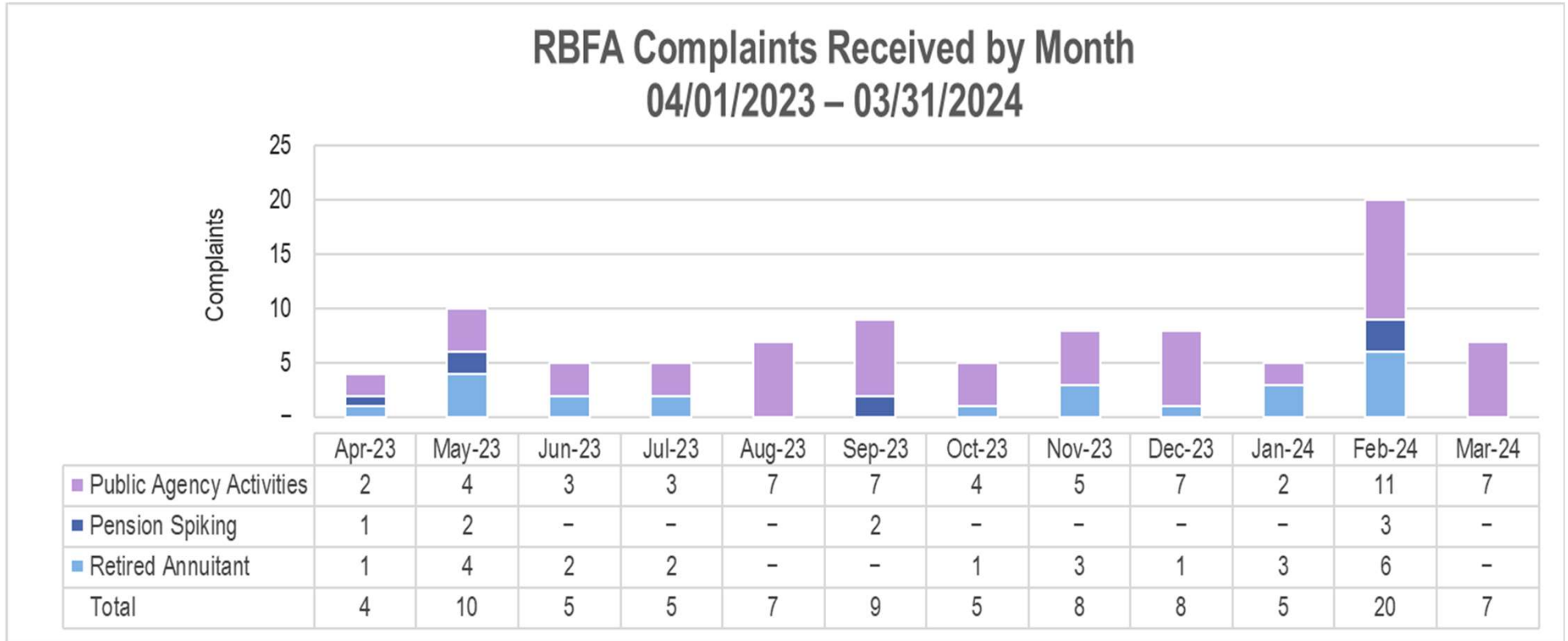


Observations:

- In March 2024, there were 12 new complaints, a decrease from the prior month.
- Of the ethics related complaints received in March 2024, 58% (7 of 12) fell under the Retirement Benefits Fraud or Abuse category.
- There were four non-ethics cases received in March 2024.

Note: See Appendix for category descriptions.

Ethics Helpline: Retirement Benefit Fraud or Abuse (RBFA) 1-Year Trend

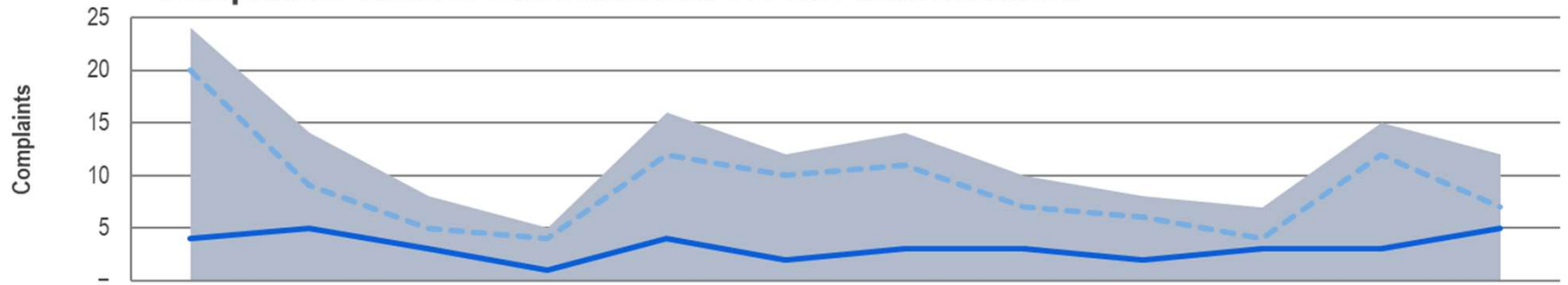


Observation:

- The Public Agency Activities subcategory accounted for 100% (7 of 7) of the RBFA complaints received in March 2024.

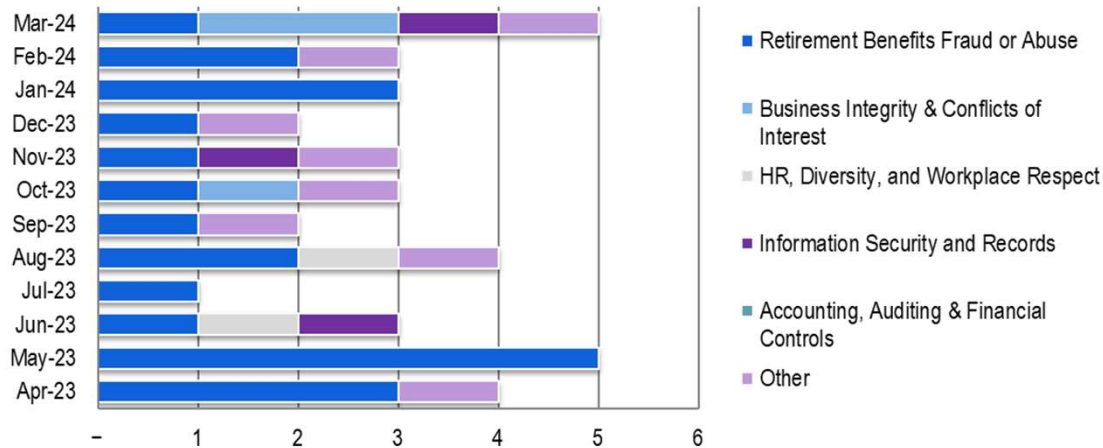
Ethics Helpline: Complaints Closed

Complaints Closed: Substantiated vs. Not Substantiated



	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Total	24	14	8	5	16	12	14	10	8	7	15	12
Closed: Substantiated	4	5	3	1	4	2	3	3	2	3	3	5
Closed: Not Substantiated	20	9	5	4	12	10	11	7	6	4	12	7

Substantiated Complaints by Category



Observation:

- During the month of March, 58% (7 of 12) of closed complaints were not substantiated.

Notes:

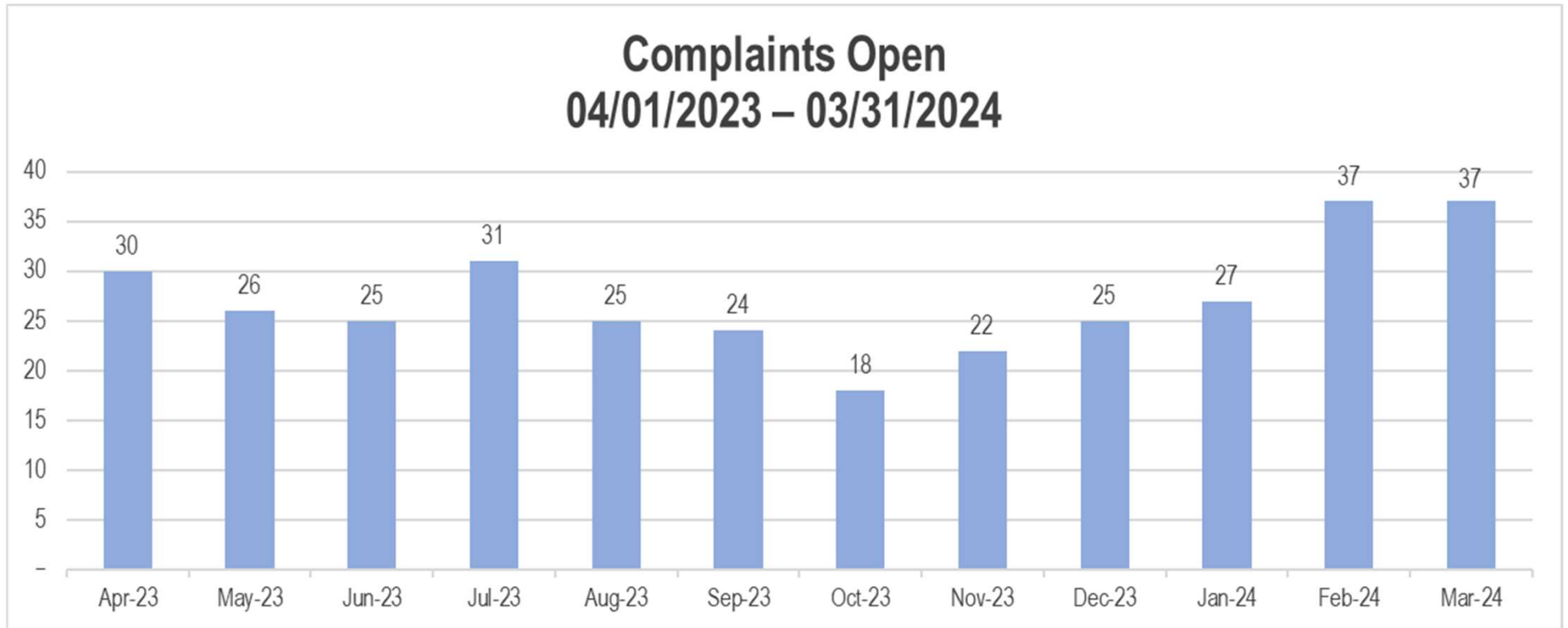
- “Not substantiated” includes complaints that were closed as unsubstantiated, inconclusive, or for insufficient information.
- See Appendix for complaint category definitions and case status definitions.

Ethics Helpline: Summary of Closed Substantiated Complaints

Closed Substantiated Complaints 03/01/2024 – 03/31/2024

Case Number	Issue Type	Allegation	Action Taken
2024-1575	Other	The reporting party alleges CalPERS made an error processing their retirement that cost them money.	Closed 03/18/2024
2024-1566	Retirement Benefits Fraud or Abuse	The reporting party alleges that CalPERS is withholding their pension.	Closed 03/11/2024
2024-1558	Information Security & Records	The reporting party alleges their personal information is being unnecessarily accessed.	Closed 03/01/2024
2023-1462a & 2023-1462b	Business Integrity & Conflicts of Interest	The reporting party alleges a team member is selling real estate while they are supposed to be working for CalPERS.	Closed 03/17/2024

Ethics Helpline: Complaints Open

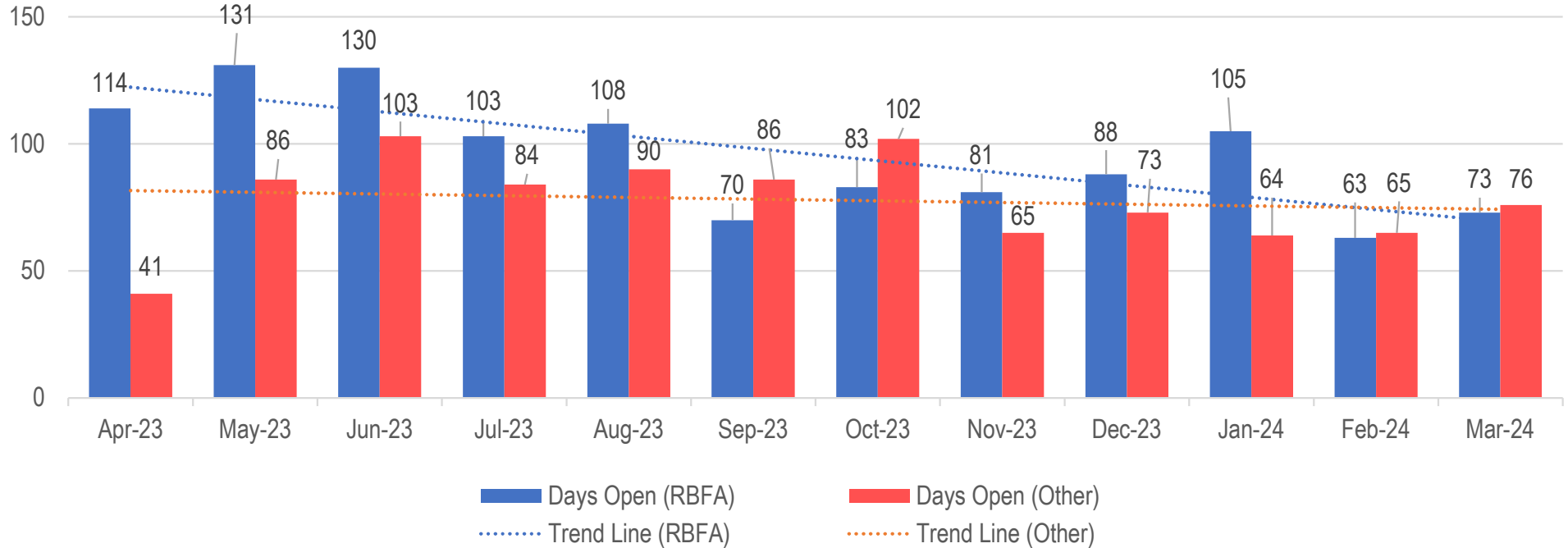


Observation:

- There were 37 open Ethics Helpline complaints as of 03/31/2024.

Ethics Helpline: Average Days Open

Average Days Open
04/01/2023 – 03/31/2024



Observation:

- As of 03/31/2024, Retirement Benefits Fraud or Abuse (RBFA) complaints were open for an average of 73 days, while all other complaints were open for an average of 76 days.

Note: Retirement Benefits Fraud or Abuse complaints often require research by external agencies, resulting in closure times greater than 30 days.

Training Compliance: Employee Mandatory Training

Employee Mandated Training – Due March 2024				
Training Type	Completed	Outstanding	Completion Rate	
Acceptable Use Policy	43	-	100%	
Code of Conduct	43	-	100%	
COVID-19 Prevention Plan	43	-	100%	
Gift Policy Attestation for New Filers	131	6	96%	
Harassment Prevention for Team Leaders	8	-	100%	
Harassment Prevention for Team Members	40	-	100%	
Health Insurance Portability and Accountability Act	38	-	100%	
Information Security and Privacy	43	-	100%	
Personal Trading Regulations	8	-	100%	
Workplace Violence Prevention	43	-	100%	
Attorney General's Ethics Course	134	2	99%	
Total	574	8	99%	

Observation:

- Employees completed 99% (574 of 582) of assigned mandatory training courses due in March 2024.

Notes:

- *Mandatory training is due within 30 days of a new employee’s start date.*
- *Annual enterprise-wide mandatory training due December 31 is reported separately.*
- *Completion rates are calculated based on all active team members required to take each mandatory training. Team members on an official leave of absence and retired team members who have separated are not included in the calculation.*

Appendix - Additional Information

- Form 700 Statement Definitions
- Board and Employee Form 700 Filings: Detail Report
- Consultant Form 700 Filings: Detail Report
- Personal Trading Violation Type Definitions
- Personal Trading Violation: Detail Report
- Personal Trading Affirmations Past Due: Detail Report
- Ethics Helpline Complaint Category Definitions
- Ethics Helpline Case Status Definitions
- Employee Mandatory Training: Detail Report

Form 700 Statement Definitions

Statement Type

Annual: Form 700 statement that is due on April 1st (or the following Monday if April 1st falls on a weekend).

Assuming Office: Form 700 statement that is due within 30 days of assuming office.

Leaving Office: Form 700 statement that is due within 30 days of leaving office.

Amendment: An amended Form 700 statement that is due within 30 days of the amendment request date.

Statement Status

Submitted Timely: Form 700 statements submitted within the due date.

Submitted Late: Form 700 statements submitted after the due date.

Outstanding: Unsubmitted Form 700 statements after the due date has passed.

Referred to FPPC: Unsubmitted Form 700 referred to the Fair Political Practices Commission (FPPC) for enforcement.

Note: See Pages 5 and 6 for details.

Personal Trading Violation Type Definitions

Blackout Period: Covered Persons are prohibited from buying, selling or transferring Covered Securities during the Blackout Period, which is the three (3) day period of time that commences one market day before and ends one market day after a transaction in Covered Securities by CalPERS.

Holding Period: The 30-calendar-day period between the acquisition and sale, and the 30-calendar-day period between sale and re-acquisition, of a Covered Security.

Missing Pre-Clearance: Covered Persons are required to obtain pre-clearance approval before the purchase, sale or transfer of Covered Securities is executed in a Covered Account, unless the transaction is exempt from the requirement of pre-clearance.

Restricted List: A Restricted List means the list of Covered Securities that identifies companies that CalPERS Employees and/or Board Members have information that may be material non-public.

Note: See Page 7 for details.

Ethics Helpline Complaint Category Definitions

All Ethics Helpline complaints now fall under one of the following six issue types. These categories were developed with CalPERS’ priorities in mind and to bring our reporting processes in line with established industry standards.

Complaint Categories	Examples of Violations
Accounting, Auditing & Financial Controls	Accounting & Auditing Matters; Compliance with Laws & Regulations; Document Creation & Retention; Fraud (Non-retirement benefits related); Override of Internal Controls; Securities Valuation; Tax Issues
Business Integrity & Conflicts of Interest	Contract Compliance; Foreign Corrupt Practices Act & Improper Payments; Improper Giving & Receiving of Gifts; Insider Trading; Outside Employment & Compensation; Relationships with Clients, Suppliers & Vendors
Human Resources, Diversity & Workplace Respect	Discrimination or Harassment; EEOC or ADA Matters; Human Resources (HR); Retaliation; Safety, Health & Environment; Sexual Harassment; Workplace Violence
Information Security & Records	Badging & Access Control; Computer, Email & Internet Use; Data Privacy; Disclosure of Confidential Information; Health Insurance Portability & Accountability Act (HIPAA) Violations; Identity Theft
Retirement Benefits Fraud or Abuse	<ul style="list-style-type: none"> Retired Annuitants - Involves retired CalPERS members who work for a CalPERS covered agency post retirement. Pension Spiking - Involves situations where a CalPERS covered employer inflates the compensation of an employee in the years immediately preceding retirement for the purpose of increasing their monthly retirement allowance. Public Agency Activities - Refers to a CalPERS public agency’s failure to bring a qualified employee into CalPERS membership or any other allegations that do not fit either of the other subtypes.
Other	Reporting parties can select this issue type if they feel the ethical violation they are reporting doesn’t fall under one of the other five categories.

Note: See Pages 9-11 for details.

Ethics Helpline Case Status Definitions

Case Status	Definition
Substantiated	The investigation establishes that it is more likely than not that the alleged conduct occurred.
Unsubstantiated	The investigation establishes that it is more likely than not that the alleged conduct did not occur.
Inconclusive	The investigation fails to establish one way or another whether the alleged conduct occurred.
Insufficient Information	Information submitted was not sufficient to initiate investigation.

Note: See Page 11 for details.