

Title 2. California Public Employees' Retirement System (CalPERS)

Proposed Adoption of Article 4, Section 574 of Chapter 2 of Division 1 of Title 2 of the California Code of Regulations

(a) For purposes of determining CalPERS membership eligibility, reporting overtime positions, and determining compensation earnable and pensionable compensation, "full-time" employment means a minimum of thirty-four hours per calendar week, or the equivalent as determined by the Board. For example, a normal work schedule consisting of sixty-eight hours for two calendar weeks may be determined to be full-time. This regulation does not apply to the extent it conflicts with a provision in the Public Employees' Retirement Law (e.g., Government Code section 20636.1(b)(1)).

(b) Each employer may determine what constitutes the normal work week for full-time employment for its employees, provided that it is equal to or greater than the minimum hours set forth in subsection (a). Each employer shall notify CalPERS of the normal work week periods which are considered full-time, and such periods are to be established for all employees in the same "group or class of employment" within the meaning of the Public Employees' Retirement Law such as by department or duties and not by individual employees.

(c) If an employer determines that its normal work week for full-time employment for its employees does not conform to the minimum hours set forth in subsection (a), the employer shall submit a request for exemption in writing to the Board for consideration. Such request shall specify what the employer considers the normal work week for full-time employment to be for its employees.

Authority Cited: Government Code sections 7522.02, 20120, 20121, 20122, 20123, and 20124.

Reference: Government Code Sections 7522.34, 20305, 20635, 20635.1, 20636, 20636.1, and 20967.