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# **Circular Letter**

**TO: JUDICIARY: TRIAL COURTS AND COUNTIES**

**SUBJECT: CLARIFICATION OF PROPER PAYROLL REPORTING DUE TO FURLOUGHS – TRIAL COURTS**

This Circular Letter is a follow up to Circular Letter 200-004-10 regarding Proper Payroll Reporting Due to Furloughs for Trial Court Employees dated January 5, 2010.

CalPERS has received requests to clarify the definitions of “mandatory furlough” and “members employed by a trial court.”

Government Code Section 20969.1(c) defines “mandatory furlough.” It states in part, “... a mandatory furlough is limited to the time during which a trial court employee is directed to be absent from work without pay in the 2009-10 fiscal year on the day designed by the Judicial Council for closure of the courts as authorized in Government Code Section 68106.”

Government Code Section 20969.1(d) states in part “...“trial court employee” means a trial court employee, as that term is defined in Section 71601, whose employer has contracted for its employees to become members of the California Public Employees’ Retirement System.”

Therefore, only trial court employees as defined by Government Code Section 71601 that are taking mandatory furloughs on court closure days per Government Code Section 68106 are eligible to receive full service credit and compensation earnable for retirement purposes. Trial court employees furloughed on non-court closure days are not eligible to receive full service and compensation earnable.

If you have any questions, please call our Employer Contact Center at **888 CalPERS** (or **888-225-7377**).

Lori McGartland, Chief  
Employer Services Division