



Agenda Item 7c

September 17, 2013

ITEM NAME: Pension Data Privacy

PROGRAM: Pension

ITEM TYPE: Information

EXECUTIVE SUMMARY

In order to better protect the security and accuracy of the pension data of the California Public Employees' Retirement System (CalPERS) retirees, staff embarked in 2012 on an effort to develop a secure pension database that would be hosted on the CalPERS website. The database would only include that information that is currently required by law to be disclosed whenever requested. CalPERS staff met with retiree associations and other stakeholders during the development of this project, conducted briefings and demonstrations, and provided materials and articles about the database to be included in retiree association publications.

In early July 2013, CalPERS publicly announced plans to maintain this new secure database on the CalPERS website. Following that announcement, two of our member associations stated their intent to pursue legislation to limit the amount of pension data that is required to be released under the Public Records Act (PRA). In accordance with CalPERS desire to protect the privacy and data of our members and only release that information which is legally required, CalPERS decided to postpone the launch of the pension database pending the outcome of the legislative effort. In late August 2013, the Chairs of both the Assembly Committee on Public Employees, Retirement and Social Security, and the Senate Committee on Public Employees and Retirement informed Rob Feckner, President of the CalPERS Board of Administration, of their intentions to hold interim legislative hearings on the issue of pension data privacy and they requested that CalPERS continue to postpone implementation of the pension database until after they conclude their hearings.

Out of respect for our members' concerns, and in light of the legislators' request, CalPERS will postpone the launch of the pension database pending the outcome of the interim legislative hearings.

STRATEGIC PLAN

This item supports the Strategic Plan goal to engage in State and national policy development to enhance the long-term sustainability and effectiveness of our programs.

BACKGROUND

CalPERS is required to publicly release certain member information according to Government Code section 20230, various provisions of the California Public Records Act and established case law. The member information which would be contained in the database is considered a public record and it is the most frequently requested information that CalPERS receives from the public, news organizations and other interested parties.

The database would only include the information that is legally required to be made available to the public: retiree name, last employer, gross monthly payment, base pension, cost-of-living adjustment (COLA), years of service as a public employee, final compensation, retirement date, the agency from which the member retired and other data identifying the type of pension and formula used to calculate the pension. Private information like a retiree's address, birthdate, or medical information would *not* be included.

ANALYSIS

It is the understanding of CalPERS staff that the interim hearings will focus on the broader issue of what types of pension data and member information should be made available to the public, and what should remain protected from disclosure. The interim recess begins on September 13, 2013 and ends on January 6, 2014.

BUDGET AND FISCAL IMPACTS

Not Applicable

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