

CalPERS Ethics Helpline

SUMMARY OF CLOSED SUBSTANTIATED REPORTS  
5/16/2014 through 8/15/2014

**Issue Type: Retirement Benefits Fraud or Abuse-Retired Annuitants  
2013-333**

**Allegation:** An anonymous complaint alleging that an identified CalPERS member who worked as a retired annuitant for a CalPERS covered agency had exceeded the allowed 960 hours in a fiscal year.

**Finding:** CalPERS determined the identified retiree's employment was CalPERS creditable and subject to mandatory membership.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse-Pension Spiking  
2013-356**

**Allegation:** An anonymous complaint alleging that an identified CalPERS member who worked as a retired annuitant for a CalPERS covered agency was in violation of the government code.

**Finding:** CalPERS determined the identified retiree's employment was CalPERS creditable and subject to mandatory membership.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse-Pension Spiking  
2014-393**

**Allegation:** An anonymous complaint alleges that the identified CalPERS member for a CalPERS covered agency was appointed City Manager. During this appointment, the identified member received his enhanced safety retirement formula while working in a non-safety position.

**Finding:** CalPERS determined the identified employer reported the member as Safety while serving as City Manager was not in compliance. The employer was advised to reserve the payroll and re-submit properly.

**Action Taken: CalPERS Member Benefits Adjusted**

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**Issue Type: Retirement Benefits Fraud or Abuse-Pension Spiking**  
**2014-394**

**Allegation:** An identified source alleges that CalPERS has been receiving over reported pay for a CalPERS member within a CalPERS covered agency.

**Finding:** CalPERS determined the covered agency reported monthly pay rates for the member did not meet the requirements of GC 20636.1 (e)(2) because they included items of special compensation that increased pay rates beyond the average pay rate increases received by similarly situated employees.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse-Pension Spiking**  
**2014-411**

**Allegation:** An anonymous source alleges that an identified a CalPERS member was in an acting role but was reclassified to another position to spike earnings.

**Finding:** CalPERS determined the earnings that were paid to the member for acting pay and working extra duties did not comply with the PERL.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Other-Member Criminal Activity**  
**2014-420**

**Allegation:** An identified source called to report a CalPERS member was guilty of felony charges that included burglary and misuse of public funds. The reporting party wants to make sure that CalPERS is aware so action can be taken against the member's retirement benefits.

**Finding:** CalPERS determined the member forfeited benefits in accordance with Government Code section 7522.72.

**Action Taken: CalPERS Member Benefits Adjusted**

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**Issue Type: Other**  
**2014-431E**

**Allegation:** An anonymous reporting party alleges a CalPERS covered employee is using the State issued credit card for purchases not related to business travel and in violation of agency policies.

**Finding:** CalPERS determined the employee purchased items that were not business related. The card holder is responsible for paying all charges made and only reimbursed for business related expenses. The employee was instructed to return the card and close the account.

**Action Taken: Employee Counseled**