

CalPERS Ethics Helpline

**SUMMARY OF CLOSED SUBSTANTIATED CASES
4/1/2015 through 6/30/2015**

**Issue Type: Retirement Benefits Fraud or Abuse – Pension Spiking
2014-462**

Allegation: An unidentified reporting party alleges that a CalPERS member is defrauding CalPERS in order to wrongfully receive retirement benefits.

Finding: Membership for City Attorney position denied due to hours worked not qualifying for membership.

Action Taken: Counseled (Verbal/Written Warning)

**Issue Type: Retirement Benefits Fraud or Abuse – Pension Spiking
2014-482**

Allegation: An identified reporting party alleges that a CalPERS member may be involved in pension spiking activities.

Finding: The payrates reported and used in the calculation of benefits do not qualify as compensation earnable. Furthermore, the excess compensation paid to the member does not qualify as compensation earnable because there is not an item of special compensation explicitly approved by the CalPERS Board and defined in California Code.

Action Taken: CalPERS Member Benefits Adjusted

**Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants
2015-488**

Allegation: An identified reporting party alleges that a CalPERS retiree may be working in violation of retirement laws and may be guilty of fraudulent payroll practices.

Finding: CalPERS determined that the allegations were substantiated. Member and employer notified, CalPERS provided a 30-day window to appeal.

Action Taken: Counseled (Verbal/Written Warning)

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**SUMMARY OF CLOSED SUBSTANTIATED CASES
4/1/2015 through 6/30/2015**

**Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants
2015-505**

Allegation: An unidentified reporting party alleges a CalPERS retiree is working in violation of retirement laws.

Finding: CalPERS determined the allegations are substantiated. The payrates reported were in excess of the amounts listed on the publically available pay schedule and therefore did not comply with the California Public Employees' Retirement Law.

Action Taken: Counseled (Verbal/Written Warning)