

CalPERS Ethics Helpline

SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS October 1, 2015 – December 31, 2015

Issue Type: Other – Member Criminal Activity
2014-428

Allegation: An identified reporting party from a CalPERS covered agency notified CalPERS that a member was committing fraudulent actions with school funds.

Finding: Allegations were substantiated, and the member was convicted on felony charges in a court of law.

Action Taken: Forfeiture of Member Benefits

Issue Type: Compliance with Laws and Regulations
2014-468

Allegation: An unidentified reporting party alleges that an employee with a CalPERS covered agency was being paid as an independent contractor but should actually be paying into the system as a state employee.

Finding: Allegations were substantiated; agency and retiree were sent a determination letter regarding the violation of Government Code and consequences.

Action Taken: CalPERS Member Benefits Adjusted

Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants
2015-511a

2015-511b

2015-511c

Allegation: An unidentified reporting party alleges that two CalPERS retirees may be working in violation of retirement laws.

Finding: Allegations were substantiated; mandatory reinstatement letters sent and public agency notified.

Action Taken: CalPERS Member Benefits Adjusted

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SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS
October 1, 2015 – December 31, 2015

Issue Type: Accounting and Auditing Matters
2015-513

Allegation: An unidentified reporting party alleges that a CalPERS covered agency is in violation of Government Code by not paying into the system properly.

Finding: Allegations were substantiated; agency was sent a determination letter regarding the violation of Government Code and consequences.

Action Taken: CalPERS Employer Contributions Adjusted

Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants
2015-517

Allegation: An unidentified reporting party alleges that two CalPERS retirees may be working in violation of retirement laws.

Finding: Allegations were substantiated; agency and retirees were sent a determination letter regarding the violation of Government Code and consequences.

Action Taken: CalPERS Member Benefits Adjusted

Issue Type: Discrimination or Harassment
2015-547

Allegation: An unidentified reporting party alleges a CalPERS employee disclosed private HIPAA information of a fellow CalPERS employee to her coworkers.

Finding: Allegations were substantiated; CalPERS management counseled the employee.

Action Taken: Employee Counseled

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SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS October 1, 2015 – December 31, 2015

Issue Type: Fraud
2015-551

Allegation: An identified reporting party alleges that a CalPERS member may be involved in illegal activities that are in violation of retirement law.

Finding: Allegations were substantiated; CalPERS reviewed the settlement agreement between the member and public agency, the agreement stated the agency would continue to pay the member their reported pay rate even after being separated from the agency. CalPERS determined that the additional payroll was not reportable as it qualified as final settlement pay.

Action Taken: CalPERS Member Benefits Adjusted