

**CalPERS Ethics Helpline**

**SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS**  
**April 1, 2016 – June 30, 2016**

**Issue Type: Retirement Benefits Fraud or Abuse — Public Agency Activities**  
**2015-565**

**Allegation:** An unidentified reporting party alleges that a CalPERS covered agency is not complying with government code.

**Finding:** EAMD met with staff who confirmed employees were laid off and rehired as independent contractors (IC). After reviewing duty statements and IC contract, the duties were almost identical. Determination letter assessing arrears was sent to employer.

**Action Taken: CalPERS Employer Contributions Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse — Pension Spiking**  
**2015-566**

**Allegation:** An unidentified reporting party alleges that a CalPERS retiree may be guilty of pension spiking.

**Finding:** Deferred compensation contributions in the amount of 6% to retiree were determined to be out of compliance. Compensation Review Unit sent the retiree and the employer a pre-deprivation letter and will move to exclude the 6% from the member's retirement benefit.

**Action Taken: CalPERS Member Benefits Adjusted**