

**CalPERS Ethics Helpline**

**SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS  
July 1 – September 30, 2016**

**Issue Type: Retirement Benefits Fraud or Abuse – Public Agency Activities  
2015-530**

**Allegation:** An unidentified reporting party alleges that a CalPERS member may have wrongfully received compensation related to a leave of absence.

**Finding:** On 9/26/16, BNSD reported that the allegations were substantiated. Retiree to be notified and adjustments to benefits will be completed on or before 11/1/16.

**Action Taken: CalPERS Employer Contributions Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants  
2015-560**

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

**Finding:** On 7/12/16, EAMD reported the allegation was substantiated. The retiree's contract employment was under common law control; therefore he was not an Independent Contractor. Determination has been appealed by retiree. Pending the outcome of the hearing, WAR will continue review of the retiree's working after retirement compliance with SOCWA.

**Action Taken: CalPERS Member Benefits Adjusted**

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

**2015-567a  
2015-567b  
2015-567c**

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

**Finding:** On 9/28/16, EAMD reported that the allegations were substantiated. A determination letter was sent to retiree and employer.

**Action Taken: CalPERS Member Benefits Adjusted**

**CalPERS Ethics Helpline**

**SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS  
July 1 – September 30, 2016**

**Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants  
2016-606**

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

**Finding:** On 9/16/16, EAMD reported that the allegations were substantiated. Retiree's pay always included longevity pay, and therefore always exceeded the maximum allowed by the PERL when comparing to the base pay rate on the employer's salary schedule for the position they used to derive at the pay rate. The employer has been informed to have the retiree stop working to avoid a larger overpayment and that they will be sent a determination letter.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse – Retired Annuitants  
2016-607a  
2016-607b**

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

**Finding:** On 7/6/16, EAMD reported that their review findings substantiated the retiree's post retirement employment was in violation of retirement laws. Working After Retirement Unit sent a reinstatement letter to the retiree. The retiree will be mandatorily reinstated from retirement for the period of unlawful employment.

**Action Taken: CalPERS Member Benefits Adjusted**

**Issue Type: Retirement Benefits Fraud or Abuse – Public Agency Activities  
2016-614**

**Allegation:** An identified reporting party alleges a CalPERS covered agency is failing to correctly report compensation to CalPERS.

**Finding:** On 7/12/16, EAMD reported that the allegations had been substantiated. EAMD's Employer Paid Arrears calculation has been completed. The corrected service years and contributions have been posted to the participant's account.

**Action Taken: CalPERS Member Benefits Adjusted**

**CalPERS Ethics Helpline**

**SUMMARY OF CLOSED SUBSTANTIATED COMPLAINTS**  
**July 1 – September 30, 2016**

**Issue Type: Accounting, Auditing, and Financial Controls**  
**2016-626**

**Allegation:** An unidentified reporting party alleges a CalPERS member is keeping an ineligible person on his health insurance.

**Finding:** On 9/28/16, MAMD reported that the allegations were substantiated. The employee's divorce had not been reported to CalPERS. The ex-spouse was deleted retro back to 2/1/2015 due to divorce date of 1/24/2015. The party rate of three or more did not change so there was no premium adjustment.

**Action Taken: CalPERS Member Benefits Adjusted**