

NEW CASE REPORT

Name of Case (full name):	Huasha Liu, on behalf of herself and all others similarly situated v. Board of Administration, California Public Employees' Retirement System
Date Received By Legal Office:	January 7, 2020
Attorney Contact(s):	Elizabeth Yelland, LEGO
Program Contact(s):	LEGO
Plaintiff(s):	Huasha Liu, on behalf of herself and all others similarly situated
Defendant(s):	Board of Administration, California Public Employees' Retirement System
Other Parties:	Unknown at this time

<p style="text-align: center;">Issues/Status:</p>	<p>The Board adopted a Proposed Decision by the Administrative Law Judge (ALJ) denying special compensation incorrectly reported on behalf of Huasha Liu (Liu). Liu filed an appeal in Superior Court. She argues:</p> <ol style="list-style-type: none"> 1. In order to be PERSable special compensation, a bonus must be paid for “superior performance.” (CCR 571(a)(1).) The ALJ agreed with CalPERS that Liu’s performance was not “superior” and therefore could not be reported to CalPERS. Liu argues her performance was “superior.” 2. In order to be PERSable special compensation, the bonus must also be “available to all members of the group or class.” (CCR § 571(b)(2).) The ALJ agreed with CalPERS that the bonus was not equally available to all members of Liu’s group or class, so could not be reported to CalPERS. Liu argues that it is available to all members of the group or class. <p>Liu’s attorneys entitled the “writ” a “class action,” but it is unclear whether they intend to go forward on a class action basis. They were given additional time (until February 6, 2020) to think about their options and return to the Superior Court writ judge to confirm whether this will be prosecuted as a writ, class action, or some combination of the two.</p>
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<p>Potential Monetary Impact:</p>	<p>Unknown at this time</p>
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