

PRERETIREMENT PART-TIME EMPLOYMENT

A certificated employee may be allowed to reduce his/her workload from full-time to part-time and receive the service credit that he/she would have received if employed on a full-time basis under the following conditions: (Education Code 22713)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

1. The option to reduce the employee's workload shall be exercised at the request of the employee and can be revoked only with the mutual consent of the Superintendent or designee and the employee. The agreement to reduce the workload shall be in effect at the beginning of the school year.
2. The employee shall have been employed full-time to perform creditable service for a minimum of 10 years, including five years of credited service for full-time employment, immediately preceding the reduction in workload.
3. The employee shall not have had a break in service during the five years immediately preceding the reduction in workload. Sabbaticals, other approved leaves of absence, and unpaid absences for personal reasons shall not constitute a break in service. However, the period of time during which a member is retired shall constitute a break in service and an employee who reinstates from retirement shall be required to be employed on a full-time basis for at least five years preceding the workload reduction.

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

4. The employee shall have reached the age of 55 years prior to the workload reduction.
5. The period of the reduced workload shall not exceed 10 years.
6. The reduced workload shall be equal to at least one-half of the full-time equivalent required by the employee's contract of employment in accordance with Education Code 22138.5 during his/her final year of full-time employment.
7. The employee shall be paid a compensation that is the pro rata share of the compensation the he/she would have earned had the he/she not opted to reduce his/her workload.
8. The employee's retirement allowance, as well as other benefits to which he/she is entitled, shall be based upon the compensation that he/she would have received if employed on a full-time basis.

The Superintendent or designee shall verify the employee's eligibility prior to the reduction of an employee's workload. This shall be done in conjunction with the administrative staff of the State Teachers' Retirement System and Public Employees' Retirement System, in accordance with law. (Education Code 22713)

PRERETIREMENT PART-TIME EMPLOYMENT (continued)

The Superintendent or designee shall maintain the necessary records to separately identify each employee who participates in the reduced workload program. (Education Code 22713)

Legal Reference:

EDUCATION CODE

22119.5 *Creditable service, definition*

22138.5 *Full-time, definition*

22713 *Part-time employment; reduction of workload from full-time; credit*

44922 *Regulations; reduction to part-time employment*

GOVERNMENT CODE

20815 *Part-time employee; retirement with benefits based upon salary on full-time basis*

53201 *Health and welfare benefits: election by officers and employees*

Management Resources:

WEB SITES

California Public Employees' Retirement System: <http://www.calpers.ca.gov>

California State Teachers' Retirement System: <http://www.calstrs.com>