

Employer Information Circular

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Community Colleges Temporary Employees Threshold Changes from 60 to 67 Percent

Notification of Law Change to California Education Code 87482.5

The purpose of this circular is to alert community college employers of the passage of Assembly Bill 591, Chapter 84, Statutes of 2008. The legislation takes effect on January 1, 2009. A person who is employed to teach community college classes, or community college adult education classes, for not more than 67 percent of the hours per week considered a full-time assignment for regular employees having comparable duties is to be classified as a temporary employee. The previous threshold to be classified as a temporary employee was 60 percent.

The law allows more employees to have flexibility in retirement plan coverage. Employees who perform creditable service in community college classes or community college adult education classes can work up to 67 percent, without being mandated into the CalSTRS Defined Benefit Program, and instead may elect to participate in Social Security or an alternative to Social Security, such as the Cash Balance Benefit Program, that is offered by the employer. An employee who performs creditable service may at any time elect to become a member of the Defined Benefit Program regardless of the percentage of time performing creditable service.

If the terms of a collective bargaining agreement in effect on or before January 1, 2009 are in conflict with the provisions of this law, the provisions of this law shall not govern the employees subject to that agreement until the expiration of the agreement.

If you have any questions regarding this circular, please contact your CalSTRS Member Account Services Representative.