

Employer Information Circular

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Service as Elected Officer of Employee Organization

Reminder to Employers of Proper Reporting of Members who Serve as an Elected Officer of an Employee Organization

The purpose of this circular is to inform employers of the provisions of California Education Code section 22711 which outlines reporting requirements for CalSTRS members elected to serve as elected officers of employee organizations.

California Education Code section 22711 allows a member to accrue service credit for time that the member serves as an elected officer of an employee organization while on a compensated leave of absence if *all* of the following are met:

- The member performed creditable service the month prior to accepting the position.
- The member continues to make contributions to CalSTRS, which would be based on the full-time position held prior to that of the elected officer.
- The member's current employer contributes to CalSTRS at a rate specified by the board each plan year that the member is on the leave of absence.
- The member has not earned 12 years of service credit as an elected officer of the employee organization.

Additionally, Section 44987 (a) of the Education Code states: "The governing board of a school district shall grant to any employee, upon request, a leave of absence without loss of compensation for the purpose of enabling the employee to serve as an elected officer of any local school district public employee organization, or any statewide or national public employee organization with which the local organization is affiliated."

The following questions and answers are provided to assist you to correctly report a member that accepts a position as an elected officer of an employee organization:

Q. How do I report a member who has just accepted a position as an officer of an employee organization to CalSTRS?

- A. You should report the member with an assignment code 37 and continue to report the member's earnings and contributions as if he or she were still performing creditable service on a full-time basis in their previous position. You are also responsible for contributing the employer contribution rate for an elected official that is adopted by the

board on an annual basis. You may *not* report the earnings that the member is receiving as an elected officer of the employee organization.

Q. If the person serves as an elected officer of the employee organization on a part-time basis, should the employee's service be reported as part-time?

A. No, according to the Education Code, the service shall be reported as full-time.

Q. What should be reported if a pay increase is received for the elected officer's same class of employee?

A. The pay raise would be reported as part of the member's earnings and contributions would be withheld proportionately.

Q. What if the member was also performing an extra assignment? Are the extra duties reported?

A. If the extra assignment stands on its own as creditable service in accordance with EC 22119.5, it is reportable as an additional assignment.

Q. As an elected officer, the member has been provided a car allowance that is paid by the employee organization. Is the car allowance creditable?

A. If the car allowance is being paid by the employee organization for elected officer service it is not creditable to CalSTRS and should not be reported.

Q. What happens if after 12 years the member continues in the position as an elected officer of the employee organization?

A. The person's compensation shall no longer be reported to CalSTRS.

Q. What if the person serves for two years, returns to teaching, and then serves again as an elected officer of the employee organization? Does the 12 year maximum start over again with the second term of office?

A. No, the service reported to CalSTRS is a cumulative total and cannot exceed 12 years, as stated in Education Code section 22711 (b).

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