

March 10, 2022

Re: Executive Order N-04-22

Dear StanCERA Plan Sponsors:

As you know, the Governor has issued a number of Executive Orders in response to the COVID pandemic. Executive Orders N-25-20 and N-35-20, issued in March 2020, suspended the 180-day break-in-service requirement and 960-hour cap under PEPRA.

On February 25, 2022, Executive Order N-04-22 was issued ending the suspensions of the 180-day break-in-service requirement and 960-hour cap effective March 31, 2022. Beginning April 1, 2022, the normal restrictions will be reinstated.

Therefore, beginning April 1, 2022, any StanCERA retiree who did not return to service while the 180-day waiting period was suspended must wait at least 180 days after their effective retirement date before returning to work for a StanCERA employer without reinstatement, unless:

- a. The employer's governing board has made a finding in a public meeting not on consent, that employment of that person is necessary to fill a critically needed position before 180 days have passed; and
- b. The appointment does not exceed a total of 960 hours of work for all StanCERA employers per calendar year.

For retirees who returned to service while the 180-day waiting period was suspended (from March 2020 through March 31, 2022), any hours or days worked from January 1, 2022 through March 31, 2022, will not count toward work-hour limits. Beginning April 1, 2022, retirees (both current and new) may continue to work through December 31, 2022 and accumulate up to 960 work hours. On January 1, 2023, the 960-hour annual limit will resume as before.

Finally, Executive Order N-84-20 suspended reinstatement and work-hour limitations for any retiree appointed to a vacant interim position who has been determined by the relevant public agency to be engaged in mitigation of the effects of the COVID pandemic. Executive Order N-04-22 reinstates those provisions. Such a retiree may only be appointed to a vacant position once and shall not exceed a combined total of 960 hours for across all employers as described in the paragraph above. Such a retiree may be paid an hourly rate and no benefits, as explained in Government Code § 21221(h).

Please contact me at atkinsb@stancera.org with any questions.

Sincerely,

DocuSigned by:

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Brittany Smith-Atkins
Fiscal Services Manager

cc: Rick Santos, Executive Director
Lisa Frazer, Member & Employer Services Manager