CALPERS HOURLY EXCLUSION APPLICATION POLICY

I. **PURPOSE.** To establish a standard procedure for identifying class specifications exempt from California Public Employees Retirement System ("CalPERS") under the contract exclusion for variable hourly employees.

II. BACKGROUND. Several class specifications in the City of Pinole ("City") are classified as hourly, not regularly scheduled to work full time. Government Code section 20502 of the Public Employees' Retirement Law (PERL) allows for an employer to exclude by contract employees based on groups such as departments or duties, but not on individual employees. A clear method of identifying the excluded positions is necessary to maintain compliance and consistency.

III. DEFINITIONS.

Classification Specifications: A written description of a class of work, including an appropriate class title, the level of the work assigned, and the desirable knowledge, skill and ability standards for positions assigned to the class. May also be referred to as a Job Description.

Elected Officials: The elected City Treasurer and the elected City Council Members. On occasion, a person may be appointed to this position in the event of an Elected Officials death or inability to carry out the term in which elected.

Variable Hourly Employee: An employee who is hired by Temporary Position Appointment or Provisional Position Appointment and does not work an ongoing schedule or receive any health and welfare benefits or accrual of vacation, sick leave, or other paid leaves or any other benefits accorded to regular, full-time position appointments, unless required by law.

Temporary Position Appointment: Appointment to a position which is not a regular position appointment. Temporary positions do not receive health and welfare benefits, accrue vacation, sick leave, or other paid leaves, or receive any other benefits accorded to regular position appointments, unless required by law.

Provisional Position Appointment: Appointment on an interim basis to a regular position without any health and welfare benefits or accrual of vacation, sick leave or other paid leaves, or receipt of any other benefits provided to regular-position appointments, unless required by law.

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Regular Position Appointment: Appointment to a position which works on an ongoing schedule, not variable hours, and for which the City Council has authorized the providing of health and welfare benefits.

IV. POLICY. Variable hourly employees are excluded from CalPERS membership by way of contract agreement between the City and CalPERS.

V. PROCEDURES. Positions identified in this policy shall be excluded from CalPERS membership.

A. Variable hourly employees shall complete the CalPERS *Notice of Exclusion from CalPERS Membership for Public Agency and Schools* form, or applicable form deemed appropriate by CalPERS, and retained in the employee's Personnel File.

B. Excluded classifications have been identified as:

Accounting Specialist
Administrative Assistant - Variable
Administrative Coordinator - Variable
Building Inspector - Variable
Cable Equipment Operator I/II
Community Safety Specialist - Variable
Community Services Officer - Variable
Crossing Guard
Dispatcher - Variable
Elected Officials
Human Resources Specialist - Variable
Information Systems Technician I/II - Variable
Intern
Park Caretaker
Public Works Maintenance Worker Assistant
Public Works Maintenance Worker
Records Management Administrator
Recreation Leader; Sr. Recreation Leader

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Rental Facility Custodian; Rental Facility Sr. Custodian
Reserve Fire Captain
Reserve Fire Engineer
Reserve Firefighter
Reserve Police Officer