

## Goodwin, Andrea

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**From:** Irwin Nowick  
**Sent:** Thursday, June 10, 2021 4:34 PM  
**To:** gerry.serrano@santaanapoa.com  
**Subject:** FW: POA President Compensation

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**From:** Irwin Nowick  
**Sent:** Wednesday, June 9, 2021 10:32 AM  
**To:** ryan.sherman916@gmail.com  
**Subject:** FW: POA President Compensation

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**From:** Cohen, Michael <[Michael.Cohen@calpers.ca.gov](mailto:Michael.Cohen@calpers.ca.gov)>  
**Sent:** Wednesday, June 9, 2021 10:07 AM  
**To:** Ruffino, Frank <[Frank.Ruffino@calpers.ca.gov](mailto:Frank.Ruffino@calpers.ca.gov)>; Irwin Nowick <[Irwin.Nowick@treasurer.ca.gov](mailto:Irwin.Nowick@treasurer.ca.gov)>  
**Subject:** Fwd: POA President Compensation

Per your request

Michael

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**From:** Frost, Marcie  
**Sent:** Friday, March 19, 2021 6:28 AM  
**To:** Fiona ma <[fionamacpa@gmail.com](mailto:fionamacpa@gmail.com)>  
**Subject:** FW: POA President Compensation

Good morning Fiona,

Here are two options depending on which policy is desired. Please let me know if you have questions.

Marcie

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**From:** Suine, Anthony <[Anthony.Suine@calpers.ca.gov](mailto:Anthony.Suine@calpers.ca.gov)>  
**Sent:** Thursday, March 18, 2021 6:59 PM  
**To:** Frost, Marcie <[Marcie.Frost@calpers.ca.gov](mailto:Marcie.Frost@calpers.ca.gov)>  
**Subject:** POA President Compensation

Hi Marcie,

As discussed previously, the law does allow for a member on a full-time release from duty to serve as an officer for an exclusive employee representative or employee association to accrue service credit and non-special assignment types of special compensation as identified in CCR 571. Since a member released to serve as an officer for an exclusive employee representative or employee association is no longer rendering services in their original position, they would not qualify for special assignment pay. In order for special assignment pay to be reportable for such members, a legislative change would be required. Below are two options for legislative changes that would allow a member to qualify for special assignment pay. The first option would allow for special assignment pay to be reportable for these members, however, the pay would still need to comply with the other standards applicable to special compensation or pensionable compensation. The second option would allow for special assignment pay, as agreed to by the member and employer, to be reportable for these members without restriction.

Option one: Add Government Code Sections 20635.2, 20636.2:

For a member who is on full-time release from duty in order to serve as an officer for an exclusive employee representative or employee association authorized under Chapter 10 (commencing with section 3500) of Division 4, special compensation or pensionable compensation, as applicable, may include, through mutual agreement with the employer, special assignment pay, as defined in regulations by the board, paid to the member for the position from which the member is on full-time release. Any special assignment pay reported to CalPERS pursuant to this section shall comply with all other standards applicable to special compensation or pensionable compensation.

Option two: Add Government Code Sections 20635.2, 20636.2:

Notwithstanding existing law and regulation to the contrary, for a member who is on full-time release from duty in order to serve as an officer for an exclusive employee representative or employee association authorized under Chapter 10 (commencing with section 3500) of Division 4, special compensation or pensionable compensation, as applicable, may, through mutual agreement with the employer, include special assignment pay, as defined in regulations by the board, paid to the member for the

position from which the member is on full-time release notwithstanding whether the member is performing the special assignment. Any special assignment pay reported to CalPERS pursuant to this section is not required to comply with the standards applicable to special compensation or pensionable compensation.

**Anthony Suine**

Deputy Executive Officer | Customer Services and Support | (916) 795-9164