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West's Ann.Cal.Educ.Code § 87483

§ 87483. Reduction to part-time employment status; regulations; conditions

Effective: January 1, 2018

[Currentness](#)

Notwithstanding any other provision, the governing board of a community college district may establish regulations that allow academic employees to reduce their workload from full-time to part-time duties. The regulations shall include, but shall not be limited to, the following if the employees wish to reduce their workload and maintain retirement benefits pursuant to [Section 22713](#) of this code or [Section 20900 of the Government Code](#):

- (a) For employees subject to coverage under the Defined Benefit Program under the State Teachers' Retirement Plan, the regulations shall include all requirements for participation in the reduced workload program pursuant to [Section 22713](#).
- (b) For employees subject to coverage under the Public Employees' Retirement System:
 - (1) The employee shall have reached the age of 55 prior to reduction in workload.
 - (2) The employee shall have been employed full time in an academic position or a position requiring certification qualifications, or both, for at least 10 years of which the immediately preceding five years were full-time employment.
 - (3) During the period immediately preceding a request for a reduction in workload, the employee shall have been employed full time in an academic position or a position requiring certification qualifications, or both, for a total of at least five years without a break in service. For purposes of this subdivision, sabbaticals and other approved leaves of absence shall not constitute a break in service. Time spent on a sabbatical or other approved leave of absence shall not be used in computing the five-year full-time service requirement prescribed by this subdivision.
 - (4) The option of part-time employment shall be exercised at the request of the employee and can be revoked only with the mutual consent of the employer and the employee.

- (5) The minimum part-time employment shall be the equivalent of one-half of the number of days of service required by the employee's contract of employment during his or her final year of service in a full-time position.
 - (6) The period of this part-time employment shall not exceed five years.
 - (7) The period of part-time employment shall not extend beyond the end of the college year during which the employee reaches his or her 70th birthday.
- (c) (1) The employee shall be paid a salary that is the pro rata share of the salary he or she would be earning had he or she not elected to exercise the option of part-time employment but shall retain all other rights and benefits for which he or she makes the payments that would be required if he or she remained in full-time employment.
- (2) The employee shall receive health benefits as provided in [Section 53201 of the Government Code](#) in the same manner as a full-time employee.

Credits

(Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1978, c. 558, p. 2013, § 1; Stats.1979, c. 218, p. 465, § 1, eff. July 6, 1979; Stats.1979, c. 373, p. 1284, § 88; Stats.1979, c. 630, p. 1951, § 3; Stats.1979, c. 1110, p. 4017, § 1, eff. Sept. 28, 1979; Stats.1979, c. 1110, § 1.5, eff. Sept. 28, 1979, operative Jan. 1, 1980; Stats.1981, c. 1023, p. 3936, § 3; [Stats.1987, c. 330, § 22](#); [Stats.1990, c. 1302 \(S.B.2298\), § 84, eff. Sept. 25, 1990](#); [Stats.1995, c. 758 \(A.B.446\), § 154](#); [Stats.2016, c. 415 \(A.B.2375\), § 1, eff. Jan. 1, 2017](#); [Stats.2017, c. 298 \(A.B.1325\), § 30, eff. Jan. 1, 2018](#).)

West's Ann. Cal. Educ. Code § 87483, CA EDUC § 87483

Current with urgency legislation through Ch. 8 of 2024 Reg.Sess. Some statute sections may be more current, see credits for details.

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West's Annotated California Codes
Education Code (Refs & Annos)
Title 1. General Education Code Provisions
Division 1. General Education Code Provisions (Refs & Annos)
Part 13. State Teachers' Retirement System (Refs & Annos)
Chapter 13. Service Credit (Refs & Annos)

West's Ann.Cal.Educ.Code § 22713

§ 22713. Part-time employment; reduction of workload from full-time; credit; separation prior to end of school year; termination of agreement

Effective: January 1, 2018

Currentness

- (a) Notwithstanding any other provision of this chapter, if the governing board of a school district or a community college district, or a county superintendent of schools establishes regulations pursuant to [Sections 44922](#) and [87483](#), an employer may enter into a written agreement with an employee who is a member of the Defined Benefit Program to reduce his or her workload in a position from full time to part time, receive the service credit the member would have received if the member had been employed in that position on a full-time basis and have his or her retirement allowance, as well as other benefits that the member is entitled to under this part, based, in part, on the final compensation the member would have been entitled to if the member had been employed on a full-time basis. The option to reduce the member's workload shall be exercised at the request of the member if all of the following conditions are met:
- (1) The member is employed by either of the following:
 - (A) A school district or county office of education as a prekindergarten through grade 12 certificated employee who does not hold a position with a salary above the maximum salary of a school principal for that employer.
 - (B) A community college district.
 - (2) The member has a minimum of 10 years of credited service in the Defined Benefit Program prior to the start of the school term of the first school year of the agreement to reduce the member's workload.
 - (3) The member shall have been employed on a full-time basis to perform creditable service under the Defined Benefit Program each year of the five school years immediately preceding the first school year in which the member's workload is reduced, without having a break in service. For the purposes of this paragraph:
 - (A) Employer-approved leaves of absence, and unpaid absences from the performance of creditable service for personal reasons from full-time employment do not constitute a break in service.

- (B) Creditable service that was performed for a school year in which a member reduced his or her workload pursuant to this section shall be treated as full time, provided that the agreement to reduce the member's workload was not terminated during that year pursuant to subdivision (e).
- (C) The period of time during which a member is retired for service shall constitute a break in service.
- (4) The member is 55 years of age or older prior to the start of the school term of the first school year of the agreement for which the member's workload is reduced.
- (b) The employer, in conjunction with the system, shall certify the member's eligibility for participation in the reduced workload program in accordance with subdivision (a). The employer's certification shall be submitted in a format prescribed by the system and shall be received in the system's headquarters office prior to the start of the school term of the first school year of the agreement for which the member's workload is reduced.
- (c) The agreement to reduce the member's workload shall be in effect prior to the start of the school term of the first school year of the agreement for which the member's workload is reduced, and shall include the following requirements:
 - (1) The total amount of time in which a member reduces his or her workload pursuant to this section shall not exceed 10 school years.
 - (2) The reduced workload shall be equal to at least one-half of the time the employer requires for full-time employment in that position in accordance with [Section 22138.5](#).
 - (3) The member shall be paid creditable compensation that is the pro rata share of the creditable compensation the member would have been paid for that position had the member not reduced his or her workload.
 - (4) For each school year the member's workload is reduced pursuant to this section, the member shall make contributions to the Teachers' Retirement Fund in the amount that the member would have contributed if the member had performed creditable service for that position on a full-time basis and if that service was subject to coverage under the Defined Benefit Program.
 - (5) For each school year the member's workload is reduced pursuant to this section, the employer shall contribute to the Teachers' Retirement Fund at a rate adopted by the board as a plan amendment with respect to the Defined Benefit Program an amount based upon the creditable compensation that would have been paid to the member if the member had performed creditable service for that position on a full-time basis and if that service was subject to coverage under the Defined Benefit Program.
- (d) The employer shall maintain the necessary records to separately identify each member who participates in the reduced workload program pursuant to this section.
- (e) The agreement to reduce a member's workload shall be terminated if one of the following actions is taken:

- (1) The member's employment is terminated prior to the end of the school term.
 - (2) The member performs less than one-half of the days or hours the employer requires for full time in that position pursuant to [Section 22138.5](#).
 - (3) The member and the employer mutually agree that the member will perform creditable service without making contributions in accordance with paragraphs (4) and (5) of subdivision (c).
- (f) Upon termination of the agreement for any of the reasons described in subdivision (e):
- (1) The employer shall notify the system that the agreement to reduce a member's workload has been terminated within 30 days of the agreement being terminated.
 - (2) The member's service credit and contributions for that school year in which the agreement is terminated shall be computed in accordance with [Section 22701](#) and Chapters 15 and 16.
 - (3) That school year in which the agreement is terminated shall not be included in the total amount of time in which a member is allowed to reduce his or her workload pursuant to paragraph (1) of subdivision (c).
 - (4) Any subsequent agreement to reduce a member's workload shall meet all of the conditions set forth in this section.

Credits

(Added by [Stats.1993, c. 893 \(A.B.1796\)](#), § 2. Amended by [Stats.1996, c. 634 \(S.B.2041\)](#), § 136; [Stats.1997, c. 482 \(S.B.471\)](#), § 9; [Stats.1998, c. 965 \(A.B.2765\)](#), § 85; [Stats.1999, c. 939 \(S.B.1074\)](#), § 44; [Stats.2000, c. 1025 \(A.B.816\)](#), § 20; [Stats.2002, c. 375 \(A.B.2982\)](#), § 7; [Stats.2003, c. 859 \(S.B.627\)](#), § 8; [Stats.2005, c. 351 \(A.B.224\)](#), § 12; [Stats.2007, c. 323 \(A.B.757\)](#), § 6; [Stats.2009, c. 304 \(S.B.634\)](#), § 5; [Stats.2010, c. 207 \(A.B.2260\)](#), § 7; [Stats.2017, c. 298 \(A.B.1325\)](#), § 4, eff. Jan. 1, 2018.)

Notes of Decisions (4)

West's Ann. Cal. Educ. Code § 22713, CA EDUC § 22713

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West's Annotated California Codes
Government Code (Refs & Annos)
Title 2. Government of the State of California
Division 5. Personnel (Refs & Annos)
Part 3. Public Employees' Retirement System (Refs & Annos)
Chapter 11. Service Credit (Refs & Annos)
Article 1. General Provisions (Refs & Annos)

West's Ann.Cal.Gov.Code § 20900

§ 20900. Part-time employees; retirement with benefits based upon salary on full-time basis; criteria for eligibility

Effective: January 1, 2017
Currentness

- (a) Notwithstanding any other provision of this part, a member employed on a part-time basis on and after January 1, 1976, shall, for the period of part-time employment, receive the credit the member would receive if he or she was employed on a full-time basis and have his or her retirement allowance, as well as any other benefits the member is entitled to under this part, based upon the salary that he or she would have received if employed on a full-time basis, if the member and his or her employer both elect to contribute to the retirement fund the amount that would have been contributed if the member was employed on a full-time basis. Prior to the reduction of an employee's workload under this section, the district personnel responsible for the administration of this program, in conjunction with the administrative staff of the State Teachers' Retirement System and this system, shall verify the eligibility of the applicant for the reduced workload program. This section shall be applicable only to a member who meets the following criteria:
- (1) The member is one of the following:
 - (A) An academic employee of the California State University.
 - (B) A certificated employee of a school district.
 - (C) An academic employee of a community college district.
 - (2) The member meets the criteria provided in [Sections 44922 and 87483 of the Education Code](#) or [Section 89516 of the Education Code](#).
 - (3) The member is not older than 70 years of age and is limited to a period of five years of part-time status.
- (b) The employer shall maintain the necessary records to separately identify each employee receiving credit pursuant to this section.

Credits

(Added by Stats.1995, c. 379 (S.B.541), § 2. Amended by Stats.2016, c. 415 (A.B.2375), § 29, eff. Jan. 1, 2017.)

Editors' Notes

OPERATIVE EFFECT

<Operation of provisions of Part 3 which are not in conformity with [Internal Revenue Code § 415](#), see [Government Code § 21762](#).>

West's Ann. Cal. Gov. Code § 20900, CA GOVT § 20900

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