



May 1, 2018

TO: District Superintendents of Kern County School Districts
Kern County School Districts

FROM: Nick Kouklis, Chief Executive Officer
Self-Insured Schools of California

SUBJECT: Authorization for Release of Unemployment Insurance Records for Retired Annuitant

As the Unemployment Insurance Administrator for Kern County districts, we would like to provide you with a copy of form DE 1181. This is an Employment Development Department (EDD) form that may be used to receive confirmation from EDD if a retired annuitant has received Unemployment Insurance (UI) benefits within the last 12 months. EDD has confirmed that this form may be used for classified or certificated employees.

A district may choose to use this form to confirm if a retired annuitant has collected UI benefits within 12 months before hiring the retiree to work temporarily after retirement. If a retired annuitant has collected UI benefits within 12 months and is working temporarily for the same district, Government Code Section 21224 should be reviewed carefully.

Enclosures include the following:

1. EDD form DE 1181
2. Government Code Section 21224
3. Unemployment Insurance Payments (Excerpt from A Guide to CalPERS)

Please be aware that a district may incur a liability under Government Code Section 21220(c) if a retiree is hired after receiving unemployment insurance compensation in violation of Government Code Section 21224. Districts should consult legal counsel if they believe that a violation of Section 21224 has occurred.

If you have any questions about the EDD form or CalPERS excerpt, please contact Carmen Gonzales at (661) 636-4416 or cagonzales@kern.org. If you have any questions regarding Government Code Section 21224, we recommend consulting with your legal advisor or with Schools Legal Service.

NK/cg
Enc.

c: District UI Contact

P.O. Box 1847, Bakersfield, CA 93303-1847
2000 K St • Larry E. Reider Education Center, Bakersfield, CA 93301
ph: 661.636.4710 fx: 661.636.4156 • sisc.kern.org

A Joint Powers Authority administered by the Kern County Superintendent of Schools Office, Mary C. Barlow, Superintendent

AUTHORIZATION FOR RELEASE OF UNEMPLOYMENT INSURANCE RECORDS FOR RETIRED ANNUITANT

**To: Employment Development Department
Orange County Primary Call Center
P.O. Box 5007
Buena Park, CA 90622**

I, _____, authorize the Employment Development
Department (EDD) to release my Unemployment Insurance (UI) information for purposes related to
Government Code section 21224 [Retired Annuitant (RA) return to work prohibition for a CalPERS
employer if UI benefits collected within the last 12 months] to:

*Fold
Here*

TO:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NAME AND TITLE</td> </tr> <tr> <td style="padding: 2px;">STATE AGENCY</td> </tr> <tr> <td style="padding: 2px;">MAILING ADDRESS</td> </tr> <tr> <td style="padding: 2px;">CITY, STATE, AND ZIP CODE</td> </tr> </table>	NAME AND TITLE	STATE AGENCY	MAILING ADDRESS	CITY, STATE, AND ZIP CODE	<p><i>Appointing entity must include a stamped self-addressed return envelope with each request.</i></p>
NAME AND TITLE						
STATE AGENCY						
MAILING ADDRESS						
CITY, STATE, AND ZIP CODE						

Date: _____ Signature: _____
MONTH/DAY/YEAR RETIRED ANNUITANT SIGNATURE

*Fold
Here*

(This Authorization shall remain in effect for 12 months from the date signed.) Social Security Number: _____
Date of Appointment: _____

Failure to sign this consent does not preclude the appointing entity authority from obtaining this information from the EDD after you are hired, pursuant to California Unemployment Insurance Code section 322.

RA Declined to Sign
Consent Authorization _____
APPOINTING AGENCY REPRESENTATIVE SIGNATURE PRINT NAME

TO BE COMPLETED BY EDD

Were UI benefits paid to the above individual in the last 12 months?

YES NO If yes, date last paid: _____ For week ending: _____

If yes, base period employer names:

S
T
A
M
P

DATE RECEIVED BY EDD

CONFIDENTIALITY NOTICE: This notice is for the sole use of the intended recipients. It contains confidential or sensitive information. Under Penal Code 502 and Civil Code 1798.53, any unauthorized review, use, disclosure, or distribution of the content of this document is prohibited and subject to criminal penalties/fines. If you are not the intended recipient, please contact the EDD.

State of California

GOVERNMENT CODE

Section 21224

21224. (a) A retired person may serve without reinstatement from retirement or loss or interruption of benefits provided by this system upon appointment by the appointing power of a state agency or public agency employer either during an emergency to prevent stoppage of public business or because the retired person has specialized skills needed in performing work of limited duration. These appointments shall not exceed a combined total of 960 hours for all employers each fiscal year. The compensation for the appointment shall not exceed the maximum monthly base salary paid to other employees performing comparable duties as listed on a publicly available pay schedule divided by 173.333 to equal an hourly rate. A retired person appointed pursuant to this section shall not receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly pay rate. A retired annuitant appointed pursuant to this section shall not work more than 960 hours each fiscal year regardless of whether he or she works for one or more employers.

(b) (1) This section shall not apply to any retired person otherwise eligible if during the 12-month period prior to an appointment described in this section the retired person received any unemployment insurance compensation arising out of prior employment subject to this section with the same employer.

(2) A retired person who accepts an appointment after receiving unemployment insurance compensation as described in this subdivision shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment subject to this section for a period of 12 months following the last day of employment. The retired person shall not be subject to Section 21202 or subdivision (b) of Section 21220.

(Amended by Stats. 2012, Ch. 41, Sec. 14. (SB 1021) Effective June 27, 2012.)

Unemployment Insurance Payments

California law prohibits appointment of a retired annuitant by a CalPERS employer if, during the 12-month period before an appointment, you received unemployment insurance compensation for prior retired annuitant employment with any CalPERS employer. Upon accepting employment, you must certify in writing to the employer that you comply with this requirement.

If you are working as a retired annuitant and it is discovered that during the previous 12 months you were paid unemployment insurance compensation based on prior retired annuitant employment with any CalPERS employer, your employment must be terminated on the last day of the current pay period. You will not be eligible for appointment as a retired annuitant with any CalPERS employer for 12 months following the termination date of the current employment. Violation of this unemployment insurance compensation restriction does not result in mandatory reinstatement from retirement.