

# Defined Benefit Membership Checklist

This document provides a checklist of the requirements for Defined Benefit (DB) membership to assist employer reporting partners in analyzing when an employee mandates, can elect DB membership, or is eligible for a retirement system election. See our [Defined Benefit Program Membership job aid](#) at employersupport.CalSTRS.com for more detailed information. If you have questions regarding the creditability of the service associated, see our [Creditable Service job aid](#) and/or [Creditable Service Checklist](#) at employersupport.CalSTRS.com.

If you have questions, contact [EmployerTraining@CalSTRS.com](mailto:EmployerTraining@CalSTRS.com) or send a secure message in the Secure Employer Website. Please include applicable supporting documentation for review.

Revised: 10/12/2022

## Defined Benefit (DB) members

Once a CalSTRS DB member, all subsequent creditable service requires coverage unless the employee has elected coverage by the Cash Balance (CB) Benefit Program or has elected coverage by the California Public Employees' Retirement System (CalPERS).

- Is the employee already a CalSTRS DB member?
  - If yes, has the employee elected coverage by CB or CalPERS if eligible?
    - If yes, report to CB or CalPERS.
    - If no, report to DB.

If the employee is not already a member, proceed to the DB Membership - Basis of Employment section.

## DB Membership - Basis of Employment

Employees may mandate DB membership upon hire depending on the basis of their employment. DB membership eligibility varies based on employer type.

### Community College Districts(CCD) - Mandatory Membership

Mandatory DB membership at the date of hire for CCD employees depends on whether the employee is employed as a temporary/adjunct employee pursuant to Education Code sections 87474, 87478, 87480, 87481, 87482, or 87482.5.

- Is the employee a temporary/adjunct employees at a CCD?
  - If yes, the position does not mandate membership, but may permissively elect using the ES 350.
- Is the employee a non-temporary/non-adjunct employee at a CCD?
  - If yes, membership begins the first day of employment.

### All Other Employers

Mandatory DB membership at the hire date for charter schools, school districts, and county offices of education depends on the employee's basis of employment in a creditable service position.

- Is the employee employed on a full-time basis?
  - If yes, membership begins the first day of employment.
  - If no, the employee can permissively elect at any time they are employed to perform creditable service.
- Is the employee employed 50% or more of a full-time contract?
  - If yes, membership begins the first day of employment.
  - If no, the employee can permissively elect at any time they are employed to perform creditable service.

If the employee did not mandate DB membership on their basis of employment, proceed to the DB Membership - Permissive Election section.

### DB Membership - Permissive Election

Employees employed to perform creditable service in positions that do not mandate membership can elect membership at any time while employed to perform creditable service. The election is made using the [Permissive Election \(ES 350\) form](#).

- Has the employee permissively elected DB membership using the ES 350 form?
  - If yes, submit the ES 350 form to CalSTRS and retain a copy.
  - If no, retain the ES 350 to record that you provided the employee the form and information about their right to the election.

The employee may elect a membership date that is no earlier than the first day of employment in an eligible position or the first day of the pay period in which the election is made (the form is signed), whichever is later.

If the employee did not permissively elect DB Membership, proceed to the DB Membership - Part-time Hourly, Part-time Daily, and Substitutes section.

### DB Membership - Part-time Hourly, Part-time Daily, and Substitutes

Mandatory DB Membership at COEs, PreK-12 programs, and charter schools in part-time hourly, part-time daily, and substitute positions depend on the amount of service performed for

the same employer during a specific time period. Position types cannot be combined for mandatory membership purposes.

Note that this section does not apply to employers that offer the Cash Balance Benefit Program.

### **Part-Time Hourly Employee (EDC 22504, 22604)**

Hourly employees are often at-will or on call employees.

- Has the employee performed 60 or more hours of creditable service in a pay period for the same employer?
  - If yes, membership begins the first day of pay period following the pay period in which the employee performs 60 or more hours of creditable service in a pay period for the same employer.

### **Part-Time Daily Employee (EDC 22504, 22604)**

Daily employees are often at-will or on call employees.

- Has the employee performed 10 or more days of creditable service in a pay period for the same employer?
  - If yes, membership begins the first day of pay period following the pay period in which the employee performs 10 or more days of creditable service in a pay period for the same employer.

### **Substitute Employee (EDC 22504, 22604)**

Substitute positions fill in for a position in place of someone else.

- Has the employee performed 100 or more days of creditable service in a school year for the same employer?
  - If yes, membership begins the first day of the pay period following the pay period in which the employee performs 100 or more complete days of creditable service in a school year for the same employer. Employers determine what constitutes a complete day of creditable service.

If the employee did not reach a threshold as a part-time hourly, part-time daily, or substitute position the employee can permissively elect DB membership at any time while employed to perform creditable service.

## Retirement System Elections

A member who accepts a position for a CalSTRS employer that requires coverage at the time of hire by another California public retirement system can elect to have that service subject to coverage by the Defined Benefit Program in lieu of the other retirement system. We are unable to assist you in determining whether a position requires coverage by another retirement system.

### **School Employers (EDC 22508, 22509)**

If the following requirements are met, membership begins the first day of employment.

- Is the employee a CalSTRS member?
- Has the employee accepted a position that requires coverage at the time of hire by another California public retirement system? Note that CalSTRS cannot assist in this determination.
- Has the employee elected CalSTRS coverage using the ES 372 form within the first 60 days of employment?

### **State of California (EDC 22508)**

If the following requirements are met, membership begins the first day of employment.

- Is the employee a CalSTRS member?
- Has the employee accepted a position that requires coverage at the time of hire by another California public retirement system?
- Has the employee elected CalSTRS coverage using the ES 372 form within the first 60 days of employment?

- Is the member one of the following:
  - Represented by a state bargaining unit that represents educational consultants, professional educators or librarians employed by the state.
  - Excluded from the definition of “state employee” in Government Code section 3513 but performing supervising or managing work like work performed by employees represented by a state bargaining unit that represents educational consultants, professional educators or librarians.
  - Employed in a position not covered by civil service and in the executive brand of government, but performing, supervising or managing work like work performed by employees represented by a state bargaining unit that represents educational consultants, professional educators or librarians.

### **Board of Governors of the California Community colleges Employees (EDC 22508.5)**

If the following requirements are met, membership begins the first day of employment.

- Is the employee a vested member employed by a CCD?
- Has the employee been subsequently employed by the Board of Governors of the California Community College to perform duties subject to membership at the time of hire in a different public retirement system?
- Has the employee elected CalSTRS coverage using the ES 372 form within the first 60 days of employment?

### **Additional Assistance**

If you'd like additional assistance in analyzing DB Membership eligibility, download the form for full functionality and click the submit button or email [EmployerTraining@CalSTRS.com](mailto:EmployerTraining@CalSTRS.com). Including this completed form and documentation regarding DB membership can reduce the amount of follow up questions and wait times on inquiries you submit.