

# ***Changes to Accrued Paid Sick Leave for Hourly Extra Help & Part-Time Employees Effective January 1, 2024***

Senate Bill (SB) 616 went into effect January 1, 2024 as an amendment to SB 1522. The new bill increases the number of sick leave hours accrued and sick leave hours able to be used by Hourly Extra Help and Part-Time employees in a calendar year. It will not apply to retired annuitants. The law states that, unless exempt, the part-time employee is entitled to receive the minimum requirements for paid sick leave. The City of Oceanside will ensure that part-time employees will accrue paid sick leave pursuant to the minimum requirements stated in the California Labor Code §245 et seq. which provides that an employee:

- a. May accrue 1 hour paid sick leave for every 30 hours worked up to 80 hours per year;
- b. May request and use up to 5 days or 40 hours of accrued paid sick leave per year;
- c. May not be terminated or retaliated against for using or requesting the use of accrued paid sick leave; and
- d. Has the right to file a complaint against an employer who retaliates or discriminates against an employee for
  1. requesting or using accrued sick days;
  2. attempting to exercise the right to use accrued paid sick days;
  3. filing a complaint or alleging a violation of Article 1.5 section 245 et seq. of the California Labor Code;
  4. cooperating in an investigation or prosecution of an alleged violation of this Article or opposing any policy or practice or act that is prohibited by Article 1.5 section 245 et seq. of the California Labor Code.

Sick leave accruals for Hourly Extra Help and Part-Time employees cannot be used in the first 90 days of employment for newly hired employees. If unused, up to 40 hours can roll into the next calendar year in the Pay Period containing January 1. A maximum of 80 hours can be retained annually after roll over, however only 40 hours can be used per year. The employer is not required to pay out accrued, unused paid sick days at the time of termination. If the employee is rehired within one year, previously accrued and unused paid sick days shall be reinstated.

Sick pay codes have been developed to use hourly sick leave:

- Code 24 - Sick HX Self
- Code 25 - Sick HX Family
- Code 26 - FMLA Sick HX Self
- Code 27 - FMLA Sick HX Family

Reports have been developed to help managers and supervisors in tracking leave usage. Employees will have access to view balances anytime in Oracle Time Entry. Balances will be updated each pay period and can be viewed on the electronic wage statement.

Please visit [https://www.dir.ca.gov/dlse/paid\\_sick\\_leave.htm](https://www.dir.ca.gov/dlse/paid_sick_leave.htm) for additional information or contact Sarah Curtis in the Human Resources Department at (760) 435-3508 if you have questions.

# City of Oceanside

## Alternate Retirement System 457 Plan

### Plan Information Sheet

#### for Part-Time, Seasonal, and Temporary Employees



#### Introduction

A federal law, the Omnibus Budget Reconciliation Act of 1990 (OBRA 90), requires that governmental employees who are not members of their employer's existing retirement system be covered by Social Security or an alternate plan.

You are enrolled in an alternate plan called the Public Agency Retirement Services Alternate Retirement System 457 Plan (PARS ARS 457). PARS ARS 457 satisfies federal requirements and provides cost savings to you and your employer when compared to Social Security. The PARS ARS 457 plan only requires a minimum contribution of 7.5% to your retirement account.

This information is a general description of what you can expect as a participant in PARS ARS 457. The Plan Document contains a more detailed description, and your employer has a copy, which you may read. The Plan Document shall govern if this description states something different.

**Enrollment in the PARS ARS 457 Plan is automatic for eligible employees.**

#### For employees hired before October 1, 2018:

1. Each pay period, **6.2%** of your wages will be deducted from your pay and deposited into your PARS ARS 457 account. Your contributions are made on a pre-tax basis.
2. Each pay period, your employer will also contribute the equivalent of **1.3%** of your wages to your PARS ARS 457 account. Employer contributions are also made on a pre-tax basis.
3. Investment activity will be credited to your PARS ARS 457 account based on your monthly account activity and will accumulate **tax-free** until your termination from the plan and the distribution of your account balance.

#### Designating a Beneficiary

- 1) In the event that you pass away while contributing to the PARS ARS 457 Plan, your account balance will be distributed to your beneficiary.
- 2) If you are married at the time of your death, your spouse/registered domestic partner is automatically your beneficiary. If you wish to designate someone other than your spouse/registered domestic partner, you may do so by submitting a Designation of Beneficiary Form.

- 3) If you are unmarried at the time of your death, your account balance will be paid to your estate unless you have designated another beneficiary.

- 4) You may obtain a Designation of Beneficiary Form from your employer or from PARS.

#### Becoming Eligible for a Benefit

- 1) You (or your beneficiary in the event of your death) will be eligible to receive your PARS ARS 457 account balance when one of the following events occurs:
  - a. Termination of Employment
  - b. Retirement
  - c. Permanent and Total Disability
  - d. Death
  - e. Changed employment status to a position covered by another retirement system\*

- 2) If there have been no contributions into your PARS ARS 457 account for two (2) years and your account balance is less than \$7,000, you may be eligible for a distribution of your account. Please note that if your account balance is greater than \$7,000, your account will only be distributable due to termination, retirement, disability, or death.

#### Receiving Your Account Balance

- 1) When your employer notifies PARS that you are eligible for a distribution of your account, appropriate forms will be sent to you by mail. Within 90 days of PARS' receipt of all correctly completed forms, the account will be distributed.
- 2) Your distribution options are:
  - a. You may elect to receive a **one-time lump-sum cash payment**. If your account balance is greater than \$200, your distribution may be subject to federal and/or state income tax withholding.
  - b. You may defer tax withholding from your distribution by electing a **direct rollover** to an IRA or to an eligible plan that accepts rollovers (e.g. 403(b), 457(b), 401(k), etc.)

**For further information or for questions about your account, please contact PARS.**

**(800) 540-6369**  
**Monday – Friday**  
**8:30AM – 5:00PM Pacific Time**  
**plansupport@pars.org**

## **PARS PARTICIPANT PORTAL LETTER**

The City of Oceanside is pleased to share access to the participant portal for the PARS Alternate Retirement System (ARS). This portal is designed to keep your account needs in mind and provide 24/7 access to your information. Below are some of the features you can now take advantage of:

- Current account balance
- Transaction history
- Downloadable prior statements
- Quarterly investment information
- Summary of the plan
- Downloadable beneficiary form

You may access the website using one of the methods below:

- 1) Visit <https://myaccountpars.org/>
  - a. You will be asked to provide the following information upon login:
    - i. **Username** – your social security number (no dashes)
    - ii. **Password** – your date of birth in **MMDDYYYY** format (no dashes)
  - b. You will then be prompted to **Set Login Credentials**, where you will provide an email and password.
- 2) Visit <http://www.pars.org/>
  - a. Click on **My PARS Plan**
  - b. Type in your agency's name
  - c. Once on agency's homepage, click **Login to External Account** in the red banner
  - d. A pop-up will redirect you to **myaccount.pars.org**, where you may follow the instructions listed under Option 1.

If you have any questions or difficulties logging in, please contact the PARS Plan Support Department at 800-540-6369 for assistance.