Board of Retirement Regular Meeting

Sacramento County Employees' Retirement System

Agenda Item 7B

MEETING DATE: **September 16, 2026**

SUBJECT: **Service Purchase Policy**

SUBMITTED FOR: **_X__ Action ___ Information**

RECOMMENDATION

Approve amendments to the Service Purchase Policy.

PURPOSE

This item complies with Government Code section 31649 and the Uniformed Services Employment and Reemployment Rights Act (USERRA) regarding service purchases.

DISCUSSION

In 2024, the SCERS Board of Retirement approved the Service Purchase Policy to clarify service credit purchase provisions of the County Employees' Retirement Law (CERL) in accordance with conditions set forth in resolutions adopted by the Sacramento County Board of Supervisors and governing bodies of SCERS member districts, guidelines adopted by the Board of Retirement, and historic staff practices and procedures.

Staff recently identified an oversight in the Service Purchase Policy regarding active military leave. The CERL allows for granting Legacy members service credit for eligible Active Military Leave at no cost. However, under Government Code section 31653, members subject to the Public Employees' Pension Reform Act (PEPRA) first hired on or after January 1, 2013, must pay the missed employee contributions. Section 4318 of USERRA establishes that employees on military leave must be treated the same as other employees during that absence period, including not paying interest for missing contributions. SCERS members may also purchase up to 4 years of eligible prior public service.

The proposed revision conforms to statute for PEPRA member purchases of Active Military Service. SCERS will contact two PEPRA members inadvertently notified of their eligibility for cost-free Active Military Leave and provide the cost to purchase the time equal to the missed employee contributions without interest.

An unrelated proposed amendment also clarifies language in a 2003 County Board of Supervisors resolution that authorized the purchase of prior public service credit from a different government agency. The resolution states, in part, that the allowed purchase of public service is subject to a condition that payment for any public service credit shall be completed within five (5) years from the date of the initial payment and payment shall be completed no later than the retirement date. The policy would be amended to confirm members that purchasing public service have a five-year window commencing with the initial payment in which to purchase <u>any and all</u> available prior public service. This clarification aligns with current and past practice, as well as the intent of the Board of Supervisors resolution approving prior public service purchases.

<u>ATTACHMENTS</u>

- Board Order
- Service Purchase Policy – Redline Version
- Service Purchase Policy – Clean Version

Prepared by:	Reviewed by:
/S/	/S/
Keith Riddle	Eric Stern
Chief Benefits Officer	Chief Executive Officer

Retirement Board Order

Sacramento County Employees' Retirement System

Before the Board of Retirement
September 16, 2026

AGENDA ITEM:

Service Purchase Policy

THE BOARD OF RETIREMENT hereby approves the Staff recommendation to approve amendments to the Service Purchase Policy.

I HEREBY CERTIFY that the above order was passed and adopted on September 16, 2026 by the following vote of the Board of Retirement, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALTERNATES (Present but not voting):

Chris Giboney Board President	Eric Stern Chief Executive Officer and Board Secretary

SERVICE PURCHASE POLICY

PURPOSE

The purpose of this policy is to clarify service credit purchase provisions of the County Employees' Retirement Law (CERL) in accordance with conditions set forth in resolutions adopted by the Sacramento County Board of Supervisors and governing bodies of SCERS member districts, and guidelines adopted by the Board of Retirement.

POLICY

A member may purchase eligible Service Credit by paying the required contributions and interest as determined by SCERS.

APPLICATION

Service Credit Categories

Active Military Leave (Government Code §§31649, 31653)

A member who resigns or obtains a leave of absence from a Participating Employer to enter active military service, and later returns to SCERS-covered employment, can receive Service Credit for the active military service. To receive Active Military Leave Service Credit a member must:

- Provide a Certificate of Release or Discharge from Active Duty (Form DD214) issued by the U.S Department of Defense;
- Separate from active military duty under conditions other than a dishonorable discharge; and
- Return to SCERS-covered employment within the period established by law after release from active duty, or within 90 days after recovering from a disability incurred while in active duty.

If a member dies while performing qualified military service, they will be treated as if reemployed for purposes of vesting and death benefits.

For Legacy members first hired prior to January 1, 2013, SCERS records the military time in the membership file and the service is considered in the calculation of benefits at retirement. The contributions made by the employer shall be available for retirement purposes only and not available to the member if resigning from employment after reinstating from military service.

PEPRA members hired on or after January 1, 2013, must pay the employee contributions missed during the Active Military Leave, without interest. These contributions will be refundable if the member separates from all SCERS-covered employment and requests a withdrawal. The Active Military service purchased by a PEPRA member will count toward vesting and retirement eligibility.

Prior County Service While on Deferred Status (Government Code §31641.56)

A member may purchase service for a Participating Employer that was not eligible for coverage by SCERS that was performed between two periods of service that are covered by SCERS. SCERS may require earnings and employment verification from the employer. Service performed as a contractor through a temporary agency or third party is not eligible for purchase.

Pre-Membership Employment (Government Code §31641.5)

Work performed for a Participating Employer in a capacity not eligible for SCERS membership (e.g., as a seasonal, intermittent or temporary employee) before becoming a SCERS member may be purchased as Service Credit. SCERS may require earnings and employment verification from the employer. Service performed as a contractor through a temporary agency or third party is not eligible for purchase.

Public Service (Government Code §§31641.1, 31641.2, 31641.4, 31478, 31479, 31479.2)

A member may purchase service credit for verified service in one or more of the following agencies as defined in:

- Federal Military and Civilian service including the District of Columbia
- State of California
- Any California City or County
- Any Public Corporation, municipal corporation or public district situated in whole or in part within the County of Sacramento

Members cannot receive, or be eligible for, a pension or retirement allowance from the entity which is the origin of the credit for Public Service. However, public service for the U.S. military that counts towards reservist retirement pay is purchasable. Additionally, disability benefit payments made to members from the Veterans Administration are not considered pensions or retirement allowances.

If service in any entity was covered by a retirement system into which “redeposit” can be made (with full rights of reciprocity, including “final compensation”) then a member cannot purchase such service credit as public service credit with SCERS.

A SCERS member may purchase a maximum of four (4) years of public service credit. A member may take up to five years to complete a purchase of any and all available public service credit once the first initial payment is made.

If a member, after purchasing public service credit, becomes eligible to receive a pension from the public entity for service in such entity, the member must be refunded public service contributions and service credit adjusted in the member’s account.

Redeposit of Previously Withdrawn SCERS Member Contributions (Government Code §31652)

A member who terminates their membership with SCERS, withdraws their member contributions, and later again becomes a member of SCERS may redeposit the withdrawn funds plus the interest that would have accrued up to the redeposit date had the funds remained on account at SCERS. The redeposit may allow the member to preserve the original benefit tier.

Partial redeposits are not allowed. The full amount of the previously withdrawn funds must be repaid in full and all previous service credit restored. A redeposit of contributions restores past service credit with SCERS.

Forgoing a decision to redeposit means prior service credit does not count towards becoming vested.

Uncompensated Leave of Absence Due to Illness (Government Code §31646)

Upon returning to active service following an uncompensated leave of absence due to their own illness, a SCERS member may receive up to a maximum of one year of Service Credit for the period of such absence.

Service Purchase Payment Methods

A SCERS member may submit a service purchase request up until the date of retirement. The purchase shall be completed within 120 days of the effective date of retirement (Government Code Section 31485.7) using one or more of the following payment methods:

- **Lump sum payment** in full or in part. Any balance due after applying the lump sum payment may be paid using payroll deduction installment payments.
    - Personal check or a cashier's check made payable to SCERS.
    - Direct Rollover or Trustee-to-Trustee Transfer. This is a transfer of pre-tax funds (eligible rollover distribution) from a qualified retirement account, such as a 457(b) or 403(b), usually earned from your current or former employment.

  SCERS will only accept a direct rollover or trustee-to-trustee transfer with the required form completed and signed by the administrator of the transferring plan.

- **Payroll deduction installment payments** divided equally over the term of the contract. The specific contract term may vary depending on the type and duration of service purchased. In no event shall any installment payment be less than twenty-five dollars ($25) biweekly.

  The service purchase installment deduction amount is in addition to regular Member Contribution deductions. The installment payments are currently deducted on a pre-tax basis and will continue accordingly unless the Internal Revenue Service should later require the installment payments to be deducted on a post-tax basis.

  To establish an installment payment plan for a service purchase, a member must sign a purchase contract and submit to SCERS. A purchase contract is irrevocable and once it begins, the payment cannot be stopped, increased, or decreased.

    - *Unpaid Leave of Absence Impact on Service Purchase Payroll Deductions*
        - For unpaid leaves of absences up to six months, the missed service purchase payroll deductions shall be paid to SCERS upon the member's return to paid status.
        - For unpaid leaves of absences of six months or greater, SCERS may terminate the service credit purchase agreement, and
            - For redeposits, SCERS shall return all monies paid toward the purchase to the member and the member shall receive no service credit. The member may initiate a new request to redeposit contributions upon return to paid status.
            - For all other service purchase types, SCERS shall credit the member's account with the prorated value of the

service purchased up to the unpaid leave of absence date. The member may initiate a new request to purchase the remaining service upon return to paid status.

APPENDIX

Service Purchase Chart

AUTHORITIES

California Government Code Sections 31485.7, 31640-31658

SCERS Bylaws Chapter 1, Section 21

Sacramento County Board of Supervisors Resolution 2003-0517

RESPONSIBILITIES

Executive Owner: Chief Benefits Officer

POLICY HISTORY

Date	Description
9-16-2026	Board amended policy
8-20-2025	Board amended policy
10-16-2024	Board approved new policy

Service Purchase Chart

	Active Military Leave	Prior County Service While Deferred	Pre-Membership Employment	Public Service	Redeposit of previously withdrawn contributions	Unpaid Medical Leave of Absence
Counts toward becoming vested?	~~No~~Yes	Yes	Yes	No	Yes	Yes
Considered in determining retirement eligibility date?	~~No~~Yes	Yes	Yes	No	Yes	Yes
Counts toward 30-year service threshold for legacy Safety members?	No f	Yes	Yes	No	Yes	Yes
Cost of service credit purchase?	No cost to Legacy members; PEPRA members pay missed member contributions	Compensation and member contribution rate upon return to SCERS-covered employment plus interest	Compensation and member contribution rate at the SCERS membership date plus interest through purchase date	Compensation and twice the member contribution rate at the SCERS membership date plus interest through purchase date	Total amount withdrawn plus interest through date of redeposit	Missed member contributions plus interest during leave period
Time to repay	N/A for Legacy members; PEPRA members pay a lump sum or installments over a period not to exceed the length of time for which service credit is claimed	Lump sum or installments over a period not to exceed the length of time for which the member has elected, or 10 years, whichever is less. Member receives credit for the service for which payment has been completed prior to retirement effective date	Lump sum or installments over a period not to exceed the length of time for which the member has elected or 10 years, whichever is less. Member receives credit for the service for which payment has been completed prior to retirement effective date	Lump sum or installments paid over a period not to exceed 5 years	Lump sum or installment payments not to exceed one year unless a longer period is approved by the Board	Lump sum or installments over a period not to exceed the length of time for which service credit is claimed, not to exceed 1 year

SERVICE PURCHASE POLICY

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