



# AQUILINO TIER I RESTORATION APPLICATION

ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION  
475 14<sup>th</sup> Street, Suite 1000 (510) 628-3000  
Oakland, CA 94612-1900 QIC 22901 FAX (510) 268-9574



To be eligible for the Aquilino Tier I restoration process, applicants must be Tier II members who:

- left Alameda county employment; and,
- withdrew their Tier I retirement contributions; and,
- later returned to Alameda County employment; and,
- re-entered the retirement system on or after July 1, 1983.

**NOTE: The Aquilino decision does not apply to employment service time rendered in positions, i.e. project, part-time, intermittent, generally considered ineligible for retirement membership and for which no contributions were made to ACERA.**

(Please Print or Type)

Name: \_\_\_\_\_ Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Birthdate: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Daytime phone number (not tieline): \_\_\_\_\_

Sex: Male  Female  Any Other Name Used: No  Yes\*

\*If yes, please print name: \_\_\_\_\_

**Check one box only.**

**CALCULATE REDEPOSIT OF TIER I WITHDRAWN FUNDS**

- I withdrew my previous Tier I contributions; **and**,
- I **HAVE NOT** redeposited any withdrawn Tier I contributions; **and**,
- I would like my Tier I service time calculated for redeposit

**LIST ALL DATES OF WITHDRAWN TIER I SERVICE TIME AND CONTRIBUTIONS**  
*Attach additional sheets if needed.*

From: \_\_\_\_\_ To: \_\_\_\_\_ Department: \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_ Department: \_\_\_\_\_

**REDEPOSIT OF TIER I CONTRIBUTIONS IN PROGRESS**

- I currently have (a) **REDEPOSIT(S) IN PROGRESS** of previously withdrawn Tier I contributions, **and**,
- I am interested in converting my current Tier II service to Tier I (ACERA verification and response to follow)

**REDEPOSIT OF WITHDRAWN TIER I CONTRIBUTIONS COMPLETED**

- I have **COMPLETED THE REDEPOSIT(S)** of my withdrawn Tier I contributions; **and**,
- I have split Tier I and Tier II membership; and, I would like to convert my Tier II contributions to Tier I; **and**,
- I would like a calculation of cost for the conversion of Tier II benefits to Tier I benefits

Submit your application to ACERA, 475 14<sup>th</sup> Street, Suite 1000, Oakland, CA 94612 or via QIC 22901

\_\_\_\_\_

Member Signature \_\_\_\_\_ Date \_\_\_\_\_



**Dear Member:**

The following information details the Aquilino requirements and application process. Please read the following information carefully before completing the application.

**Eligibility:**

To be eligible for Tier I restoration within the parameters of the Aquilino decision, applicants must be Tier II members who:

- left Alameda county employment; and,
- withdrew their Tier I retirement contributions; and,
- later returned to Alameda County employment; and,
- re-entered the retirement system on or after July 1, 1983 (Tier II members).

**NOTE: The Aquilino decision does not apply to employment service time rendered in positions, i.e. project, part-time, intermittent, generally considered ineligible for retirement membership and for which no contributions were made to ACERA.**

**History:**

Aquilino vs. Marin County Employees' Retirement Association (MCERA) (1998) 60 Cal. App 4 1509 involved former employees of Marin County in Tier I who withdrew their retirement funds upon termination of employment. They were later re-employed by Marin County and upon re-entering the retirement system, exercised their right to redeposit their withdrawn funds.

In Alameda County, the Board of Supervisors adopted a second tier applicable to those employees who entered/re-entered the retirement system on or after July 1, 1983.

Individuals who:

- left Alameda County employment; and,
- withdrew their Tier I retirement funds; and,
- later returned to Alameda County employment; and,
- re-entered the retirement system on or after July 1, 1983,

have been placed in Tier II.

Those Alameda County employees (i.e. ACERA members) who exercised their right to redeposit their previously withdrawn Tier I contributions currently have split service in Tier I and Tier II. It is clear from Aquilino that ACERA members who fit the above criteria should have all service restored to Tier I status upon full payment of the increased employee contribution costs.

**Application Process**

If the foregoing eligibility requirements apply to you, complete the application on the reverse side of this information sheet and return it to ACERA.

Missing or incomplete information on your application may delay the processing of your application.

Submit your application to:

**ACERA**  
**475 14<sup>th</sup> Street, Suite 1000, Oakland, CA 94612 or**  
**via QIC 22901**