



Retiree Payroll Deduction Policy

I. Purpose

This Retiree Payroll Deduction Policy (Policy) provides guidance for the administration of pension benefits by listing approved benefit deductions and prohibiting the assignment of benefits for any purpose other than those authorized by statute.

II. Assumptions

The role of the Board is to administer ACERA in accordance with the provisions of the County Employees Retirement Law of 1937, to protect the assets of ACERA and the interests of ACERA members and beneficiaries, and to prudently manage the critical risks facing ACERA.

III. Policy Guidelines

- A. Retirement benefits are not assignable, except as permitted by (1) Government Code section 31452 for family law related orders (C.C.P. § 704.110); (2) Government Code section 31452.5 for specific deductions approved by the Board and (3) federal law for Internal Revenue Service (IRS) levies.
- B. Pursuant to Government Code section 31452.5 the Board has approved the following list of retiree benefit deductions, with retiree revocable written authorization, and will not honor any other requests for benefit assignments:
 - 1. IRS levies.
 - 2. Premiums on any policy or certificate of group life insurance or group disability insurance by an admitted insurer.
 - 3. Premiums for Board approved medical, dental, and vision insurance premiums for the benefit of the retired member or his or her dependents.
 - 4. Payment of personal Income Taxes to the United States or the State of California.

5. Premiums for a prepaid group medical or hospital service plan.
6. Child, Spousal, and Family Support Withholding Orders
7. Payment of purchase of shares in or the payment of money to regularly chartered credit unions.
8. Payment to any of the following recognized retiree organizations: Retired Employees of Alameda County (REAC) and Alameda County Retired Employees (ACRE). *See* Gov. Code §31471.5.
9. Payment for any retiree benefit program available through the recognized retiree organization.
10. PERS Long Term Care

ACERA shall pay the entity named and the amount stated in the retiree's authorization.

- C. The Board will not permit assignment of retiree benefits for any other reason. This policy against assignment of benefits includes monthly benefit warrants and lump-sum payments of benefits, including retroactive benefits awarded during the disability application process.
- D. ACERA will stop making previously authorized payments as soon as practicable after receiving a member's written request to stop making the payments, which, absent extraordinary circumstances, will be no later than the second month-end payroll after receiving a valid written request. Any payments ACERA makes after receiving such written direction (due to administrative processing time) must be recovered from the recipient of the payments, not ACERA.
- E. ACERA may charge the member a reasonable fee for the making of deductions and payments.

IV. Policy Review

The Governance Committee shall review this policy at least every three (3) years to ensure it remains relevant and appropriate.

V. Policy History

- A. The Board adopted this policy on August 16, 2007¹.
- B. The Board reviewed and updated this policy, with revisions, on August 19, 2021

¹ *This Policy was updated on August 20, 2009 (with revisions); December 15, 2011 (without revisions); December 20, 2012 (with revisions); December 18, 2014 (with revisions); September 15, 2006 (with revisions); September 20, 2018 (with revisions).*