MIDDLETOWN UNIFIED SCHOOL DISTRICT

Regulation 4217.11: Preretirement Part-Time Employment

Original Adopted Date: 1/17/2024

When the Governing Board has adopted the reduced workload program, any classified employee may reduce his/her workload from full time to part time in accordance with applicable law, district regulations, and collective bargaining agreement.

When so authorized, any classified employee who is a member of the Public Employees' Retirement System may reduce his/her workload from full time to part time without losing retirement benefits, if all of the following conditions are met: (Education Code 45139)

1. The employee shall have reached the age of 55 prior to the workload reduction.

2. The employee shall have been employed full time in a classified position for at least 10 years, of which the immediately preceding five years were full-time employment.

3. During the period immediately preceding a request for reduction in workload, the employee shall have been employed full time in a classified position for a total of at least five years without a break in service.

4. The option of part-time employment shall be exercised at the request of the employee and can be revoked only with the mutual consent of the employee and the district.

5. The employee shall be paid a salary that is the pro rata share of the salary he/she would be earning had the employee not elected to exercise the option of part-time employment.

6. The employee shall retain all other rights and benefits for which he/she makes the payments that would be required if he/she remained in full-time employment. The employee shall receive health benefits in the same manner as a full-time classified employee.

7. The minimum part-time employment shall be the equivalent of one-half of the number of hours of service required by the employee's contract during his/her final year of service in a full-time classified position.

8. The period of the part-time employment shall not exceed five years.

9. The period of part-time employment shall not extend beyond the end of the school year during which the employee reaches his/her 70th birthday.

Prior to the reduction of an employee's workload, the Superintendent or designee shall verify the employee's eligibility for the reduced workload program. (Government Code 20905)

The Superintendent or designee shall maintain the necessary records to separately identify each employee who participates in the reduced workload program. (Government Code 20905)

The district may allow any classified employee who is not eligible for the reduction of workload pursuant to Education Code 45139 to reduce his/her workload from full time to part time after determining that it is in the best interest of the district. In any such case, the Board shall specify the terms and conditions under which the reduction in workload shall take place.

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 45138	Reduced workload for classified employees
Gov. Code 20000-21703	Public Employees' Retirement System
Gov. Code 20905	Reduced workload program; classified employees
Gov. Code 53201	Health and welfare benefits: election by officers and employees

Management Resources	Description
Court Decision	Praiser v. Biggs Unified School District (2001) 87 Cal.App.4th 398
Website	CSBA District and County Office of Education Legal Services
Website	Public Employees' Retirement System

Cross References

Code	Description
3580	District Records
3580	District Records
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits