

Associated Students, Inc.
California Polytechnic State University
San Luis Obispo

Resolution #11- 02

EMPLOYER PICKUP RESOLUTION PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE
CREDIT PURCHASES (CONTRIBUTION CODE 14)
EMPLOYER CODE: 0636

WHEREAS: Associated Students, Inc. (ASI) Board of Directors is the official voice of Cal Poly students, and

WHEREAS: THE Board of Administration of the California Public Employees' Retirement System (CalPERS) at the April 1996 meeting approved a pre-tax payroll deduction plan for service credit purchases under Internal Revenue Code (IRC) section 414 (h)(2), and

WHEREAS: Associated Students, Inc. has the authority to implement the provisions of IRC section 414(h)(2) and has determined that even though implementation is not required by law, the tax benefit offered by this section should be provided to those employees who are members of CalPERS, and

WHEREAS: Associates Students, Inc. elects to participate in the pre-tax payroll deduction plan for all employees in the following CalPERS Coverage Group(s), and

1. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Employees other than local safety members (herein referred to as local miscellaneous members.)
2. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. All Local Safety Employees; and
 - b. Student Assistants as defined in the California State College Classification System.

THEREFORE
BE IT

RESOLVED: That Associated Students, Inc. will implement the provisions of IRC section 414(h)(2) by making employee contributions for service credit purchases pursuant to the California State Government Code on behalf of its employees who are members of CalPERS and who have made a binding irrevocable election to participate in the pre-tax payroll deduction plan. "Employee contributions" shall mean those contributions reported to CalPERS which are deducted from the salary of employees and are credited to individual employee accounts for service credit purchases, thereby resulting in tax deferral of employee contributions.

FURTHERMORE
BE IT

RESOLVED: That the contributions made by Associated Students, Inc. to CalPERS, although designated as employee contributions, are being paid by Associated Students, Inc. in lieu of contributions by the employees who are members of CalPERS, and

FURTHERMORE

BE IT

RESOLVED

That the employee shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by Associated Students, Inc. to CalPERS, and

FURTHERMORE

BE IT

RESOLVED

That Associated Students, Inc. shall pay to CalPERS the contributions designated as employee contributions from the same source of funds as used in paying salary, thereby resulting in tax deferral of employee contributions, and

FURTHERMORE

BE IT

RESOLVED

That the effective date for commencement of the pre-tax payroll deduction plan cannot be any earlier than the date the completed resolution is received and approved by CalPERS, and

FURTHERMORE

BE IT

RESOLVED

That the governing body of Associated Students, Inc. shall participate in and adhere to requirements and restrictions of the pre-tax payroll deduction plan by reporting pre-tax payroll deductions when authorized by CalPERS for those employees of the above stated Coverage Group(s) who have elected to participate in this plan.

CERTIFIED as the true and correct copy, in witness thereof, I have set my hand and Seal of the Associated Students, Inc. this 1st day of December, 2010.

ADOPTED at the regular meeting of the Board of Directors by unanimous voice vote on December 1, 2010.

ASI Secretary

ASI Chair of the Board

ASI President

Sponsored by:

Allie Marino, ASI Board of Directors, College of Agriculture, Food and Environmental Sciences
Chris Li, ASI Board of Directors, College of Science & Mathematics