



## ALAMEDA ADMINISTRATIVE APPEAL REQUEST FORM

This form serves as an official request to appeal the corrections VCERA has made to your account arising from the Alameda Decision. Because the California state legislature, the Supreme Court’s decision in *Alameda*, and the recent VCERA litigation mandate the exclusion of specific pay items from your final average compensation (FAC), **you may not appeal the legality of the statutory exclusions themselves, nor the legality of limited leave cashouts to the applicable calendar year maximum.** Those topics have been resolved by the state’s highest court and subsequent related litigation. The issue(s) for determination on administrative appeal are described below.

*Provide the member information below, select the appropriate appeal issue(s), and sign and date the form:*

Last Name	First Name	VCERA ID #	SSN (last 4 digits)
Address	City	State	Zip Code
Phone Number	Appealing Party: <input type="checkbox"/> Member <input type="checkbox"/> Survivor <input type="checkbox"/> Other: _____		

**Grounds for Appeal:**

**The following excluded pay items were “compensation” under Government Code (GC) section 31460 and “compensation earnable” under GC section 31461, and should not be excluded from my FAC** (because pay items were rendered within the “normal working hours” of my position and of “persons in the same grade or class of positions” during the period I rendered services at the same rate of pay):

\_\_\_\_\_

**VCERA calculations or other numerical data provided in the “VCERA Account Correction per Alameda Decision – 2<sup>nd</sup> Notice” are incorrect. The incorrect data includes:**

\_\_\_\_\_

**I retired from VCERA before the effective date of the law that VCERA is applying to me:**

- Retired prior to 1/1/2013 regarding exclusion of pay outside normal working hours and/or leave cashout limitations (PEPRA Exclusions)
- Retired prior to 7/30/2020 regarding exclusion of non-cashable flex credit and/or leave donations (Alameda Exclusions)

\_\_\_\_\_

**I formally request to appeal the above item(s) and I have attached supporting documentation.**

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

\_\_\_\_\_  
 Date

**VCERA will provide a written determination concerning your appeal within 60 days of receipt. To learn more about the Alameda Decision and appeals process, go to [www.vcera.org/alameda](http://www.vcera.org/alameda).**