



CalSavers. California has instituted a payroll deduction program known as CalSavers to promote greater retirement savings for private employees whose employers do not offer a retirement plan. CalSavers is completely voluntary for employees. Covered employers are responsible for facilitating CalSavers, but the program is entirely managed by the CalSavers Investment Board.

Covered Employers. Employers are covered by and must facilitate CalSavers if they:

1. Have 5 or more employees, at least one of whom is 18 years of age;¹
2. Do not maintain or contribute to a tax-qualified retirement plan; and
3. Are not federal, state, or county government or a unit or instrumentality of the state.

Employers are exempt if any one of the above three requirements are not satisfied.

Seasonal Employees. Seasonal employees are covered by CalSavers. Employers must comply with CalSavers if the average number of employees for the previous calendar year was 5 or more, regardless of whether the employees are full-time or seasonal.²

Registration. Covered employers must register for CalSavers by:

- **June 30, 2020** if they have more than 100 employees;
- **June 30, 2021** if they have more than 50 employees; or
- **June 30, 2022** if they have less than 50 employees.

To register, employers must provide the following information:

1. Employer name, legal name, and “doing business as” name, if applicable;
2. Federal Employer Identification Number and California Employer Payroll Tax Account Number;
3. Employer mailing address; and
4. Name, title, phone number, and email address of an individual designated by the employer as the primary contact for the CalSavers program.

Employers must register online (employer.calsavers.com), by phone ((855) 650-6916), by overnight mail (CalSavers, 95 Wells Avenue, Suite 155 Newton, MA 02459), or by regular mail (CalSavers, P.O. Box 55759, Boston, MA 02205-5759).

¹ Number of employees is the average number of employees during the previous calendar year, as reported to the Employment Development Department on Form DE 9C, “Quarterly Contribution Return and Report of Wages (Continuation),” for the quarter ending December 31 and the preceding three quarters.

² If employer maintains a tax-qualified retirement plan that seasonal employees do not qualify for due to lack of service days, the employer is still exempt.

Employee Information. Information for eligible employees must be sent within 30 days of registration:

1. Full legal name;
2. Social Security Number or Individual Taxpayer Identification Number;
3. Date of birth;
4. Mailing address;
5. Phone number, if available; and
6. Email address, if available.

For employees hired after an employer registers, information must be sent within 30 days of the hiring.

Withhold and Remit Contributions. Covered employers must withhold and remit employee contributions each payroll period to the program administrator at applicable contribution rates. Contribution rates are set by the employee and reported to the employer by the administrator via CalSavers website (employer.calsavers.com). All withheld compensation must be remitted to the administrator as soon as administratively practicable, not to exceed seven business days after deduction.

For employees who opt out of CalSavers and then opt-back-in, employers must facilitate contributions no later than the first payroll period following 30 days after notification of reenrollment by the administrator.

Prohibitions. Regarding CalSavers, covered employers shall **not**:

1. Require, endorse, encourage, prohibit, restrict, or discourage employee participation;
2. Provide participating employees, or beneficiaries of deceased participating employees, advice or direction regarding investment choices, contribution rates, participation in automatic escalation, or any other decision;
3. Contribute to an employee's account;
4. Remit any contributions for any eligible employee who opted out of the program;
or
5. Exercise authority, control, or responsibility, other than as set forth above.

Employer Liability. Covered employers are not liable for any employee's decision to participate in CalSavers or for their investment decisions. Employers have no responsibility to administer the program. Covered employers may only be held liable for not complying with CalSavers regulations.