
MARCH 17, 2021

AGENDA ITEM 2
INFORMATION ITEM

CALSAVERS RETIREMENT SAVINGS BOARD

Executive Director's Report

Update on COVID-19 Response

- Business continuity
- Resumption of full-time in-office rotation coverage
- Temporary support for participants in the money market fund (total of \$76,084 redirected from Program Administrator's marketing commitment as of February 28, 2021)

Review of Program Participation and Funding

- Summary of Program Participation and Funding, February 28, 2021 (Attachment 2A)
- Employer response rates as of March 12, 2021:

Wave (Deadline)	Employers Registered	Employers Exempted	Total Employers Responded	Total Estimated Eligible Employers*	Employer Response Rate
Wave 1 (9/30/20)	1,888	3,912	5,800	8,481	68.4%
Wave 2 (6/30/21)	1,295	2,075	3,370	10,785	31.3%
Wave 3 (6/30/22)	6,502	7,449	13,951	273,945	5.1%
Total	9,685	13,436	23,121	293,211	7.9%

*Total Estimated Eligible Employers is the number of employers with at least five employees reported to the Employment Development Department calculated on a four-quarter average basis in calendar year 2019, less employers known to be exempt based on public data (Form 5500) accessed via the U.S. Department of Labor.

Enforcement Planning Update

- Status of Interagency Agreement with the Franchise Tax Board (FTB)
- Timeline for Board vote to initiate due process notices and FTB penalty notices

Risk Monitoring

The Executive Director will provide a verbal summary of ongoing risk monitoring.

Budget

As of November 30, 2020, the most recent available reporting, the program spent \$459,443 in loan funding in fiscal year 2020-21 and a total of \$5.5 million since inception in November 2016. A detailed budget summary is included as Attachment 2B.

Contracts Executed Under Delegated Authority and Upcoming Contracts/Renewals

- Contract with Gilbert CPAs for Administrative Fund Audits (exercising extension, total cost \$58,650)

Legislation and Policy Update

California Legislation

- Budget Acts of 2021: Assembly Bill (AB) 214 and Senate Bill (SB) 112 would change startup loan repayment dates to 2024
- Monitoring AB 470 (Carrillo): elimination of asset tests for Medi-Cal eligibility

CalSavers Regulations

- New Emergency Regulations: Emergency regulations changing the default investment option, clarifying the processes for enforcing employer compliance, and reducing the minimum contributions amounts for non-payroll were approved by the Office of Administrative Law (OAL) on January 25, 2021.
- Readoption of Existing Emergency Regulations: Readoption of current emergency regulations extending the first employer deadline from June 30, 2020, to September 30, 2020, were approved by OAL on February 17, 2021 (see also agenda item 5).
- Regular Rulemaking: On March 8, 2021, staff initiated regular rulemaking for the two sets of emergency regulations described above.

Federal Rulemaking & Legislation

- U.S. Department of Labor on the Inclusion of ESG (environmental, social, and governance factors) in ERISA Plans: Mach 10, 2021 announcement of suspension of enforcement of new rule pending review
- Securing a Strong Retirement Act “SECURE Act 2.0”: ongoing monitoring

External Presentations

A summary of external presentations provided since the last Board meeting and upcoming external presentations is included below.

	Date	Organization	Event	Location	Audience
1.	12/9/20	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
2.	12/10/20	CalSavers	Employer Educational Webinar	Webinar	Employers
3.	12/11/20	CalSavers	Employer Educational Webinar	Webinar	Employers

	Date	Organization	Event	Location	Audience
4.	12/14/20	AARP	AARP All Hands; CalSavers Update	Webinar	Industry
5.	12/15/20	CalSavers	Employer Educational Webinar	Webinar	Employers
6.	12/15/20	Aspen Institute Financial Security Program and Future of Work Initiative	The Role of Digital Technology in Making Retirement Savings Work Better For Everyone	Webinar	Policy/Industry
7.	12/16/20	CalSavers	Employer Educational Webinar	Webinar	Employers
8.	12/18/20	NorCal United Way w/ Jefferson Economic Development Institute (JEDI)	Financial Literacy Training; Short and Long Term Savings	Webinar	Community
9.	12/18/20	CalSavers	Employer Educational Webinar	Webinar	Employers
10.	1/4/21	CalSavers	Employer Educational Webinar	Webinar	Employers
11.	1/6/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
12.	1/7/21	CalSavers	Employer Educational Webinar	Webinar	Employers
13.	1/8/21	CalSavers	Employer Educational Webinar	Webinar	Employers
14.	1/12/21	CalSavers	Employer Educational Webinar	Webinar	Employers
15.	1/13/21	CalSavers	Employer Educational Webinar	Webinar	Employers
16.	1/15/21	CalSavers	Employer Educational Webinar	Webinar	Employers
17.	1/18/21	CalSavers	Employer Educational Webinar	Webinar	Employers
18.	1/20/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
19.	1/21/21	CalSavers	Employer Educational Webinar	Webinar	Employers
20.	1/22/21	CalSavers	Employer Educational Webinar	Webinar	Employers
21.	1/26/21	CalSavers	Employer Educational Webinar	Webinar	Employers
22.	1/27/21	CalSavers	Employer Educational Webinar	Webinar	Employers
23.	1/27/21	Defined Contribution Institutional Investment Association	Innovation Forum: Expanding Today's Retirement System - Reaching Those Left Behind	Webinar	Policy/Industry
24.	1/29/21	CalSavers	Employer Educational Webinar	Webinar	Employers
25.	2/1/21	CalSavers	Employer Educational Webinar	Webinar	Employers
26.	2/4/21	CalSavers	Employer Educational Webinar	Webinar	Employers
27.	2/5/21	CalSavers	Employer Educational Webinar	Webinar	Employers
28.	2/9/21	CalSavers	Employer Educational Webinar	Webinar	Employers
29.	2/9/21	Guideline 401k	CalSavers Overview	Webinar	Industry
30.	2/10/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
31.	2/12/21	CalSavers	Employer Educational Webinar	Webinar	Employers
32.	2/18/21	CalSavers	Employer Educational Webinar	Webinar	Employers
33.	2/18/21	Georgetown University Center for Retirement Initiatives	Engaging Employers and Employees: What Are They Saying and How Have Strategies and Resources Adjusted in Response?	Webinar	Policy/Industry
34.	2/19/21	Treasurer Fiona Ma w/ Asm. Bauer-Kahan	Tri-Valley Small Biz Workshop	Webinar	Employers
35.	2/19/21	Mission Asset Fund	#CharlaFinancieras; Friday Financial Talks (Spanish)	Webinar	Community
36.	2/19/21	Mission Asset Fund	#CharlaFinancieras; Friday Financial Talks	Webinar	Community
37.	2/19/21	United Way Bay Area and Building Skills Partnership	Train-the-Trainer	Webinar	Community
38.	2/19/21	CalSavers	Employer Educational Webinar	Webinar	Employers
39.	2/23/21	CalSavers	Employer Educational Webinar	Webinar	Employers

	Date	Organization	Event	Location	Audience
40.	2/24/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
41.	2/26/21	CalSavers	Employer Educational Webinar	Webinar	Employers
42.	3/1/21	CalSavers	Employer Educational Webinar	Webinar	Employers
43.	3/1/21	University of Southern California Marshall School of Business	FinTech MBA Course: Wealth Management	Online Class	Academic
44.	3/3/21	North Valley Employer Advisory Council w/NorCal United Way	North Valley Employer Advisory Council CalSavers Webinar	Webinar	Employers
45.	3/4/21	CalSavers	Employer Educational Webinar	Webinar	Employers
46.	3/5/21	CalSavers	Employer Educational Webinar	Webinar	Employers
47.	3/9/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
48.	3/10/21	Vallejo Chamber of Commerce	Economic Development Committee Meeting	Webinar	Employers
49.	3/10/21	CalSavers	Employer Educational Webinar	Webinar	Employers
50.	3/11/21	Treasurer Fiona Ma w/ City of Glendale Treasurer Rafi Manoukian	Glendale Small Biz Workshop	Webinar	Employers
51.	3/12/21	CalSavers	Employer Educational Webinar	Webinar	Employers
52.	3/15/21	CalSavers	Employer Educational Webinar	Webinar	Employers
53.	3/17/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers

Upcoming External Presentations

	Date	Organization	Event	Location	Audience
1.	3/18/21	CalSavers	Employer Educational Webinar	Webinar	Employers
2.	3/18/21	University of California Berkeley	Applied Behavioral Economics for Information Systems, Case Study	Online Class	Academic
3.	3/19/21	CalSavers	Employer Educational Webinar	Webinar	Employers
4.	3/23/21	CalSavers	Employer Educational Webinar	Webinar	Employers
5.	3/24/21	CalSavers	Employer Educational Webinar	Webinar	Employers
6.	3/25/21	Solano Hispanic Chamber of Commerce	Introduction to CalSavers (Spanish)	Webinar	Employers
7.	3/26/21	North State Society of Human Resource Managers (SHRM)	Coffee and HR Conversations	Webinar	Employers
8.	3/26/21	CalSavers	Employer Educational Webinar	Webinar	Employers
9.	3/29/21	CalSavers	Employer Educational Webinar	Webinar	Employers
10.	3/30/21	Mill Valley Chamber of Commerce w/ Edward Jones	Introduction to CalSavers	Webinar	Employers
11.	4/1/21	CalSavers	Employer Educational Webinar	Webinar	Employers
12.	4/2/21	CalSavers	Employer Educational Webinar	Webinar	Employers
13.	4/6/21	CalSavers	Employer Educational Webinar	Webinar	Employers
14.	4/7/21	Treasurer Fiona Ma w/ Imperial Valley Growers Association	State Resources for Agricultural Employers	Webinar	Employers
15.	4/7/21	CalSavers	Employer Educational Webinar	Webinar	Employers
16.	4/9/21	CalSavers	Employer Educational Webinar	Webinar	Employers
17.	4/12/21	CalSavers	Employer Educational Webinar	Webinar	Employers
18.	4/14/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers

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19.	4/15/21	CalSavers	Employer Educational Webinar	Webinar	Employers
20.	4/16/21	CalSavers	Employer Educational Webinar	Webinar	Employers
21.	4/20/21	CalSavers	Employer Educational Webinar	Webinar	Employers
22.	4/21/21	CalSavers	Employer Educational Webinar	Webinar	Employers
23.	4/23/21	CalSavers	Employer Educational Webinar	Webinar	Employers
24.	4/26/21	CalSavers	Employer Educational Webinar	Webinar	Employers
25.	4/28/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
26.	4/29/21	CalSavers	Employer Educational Webinar	Webinar	Employers
27.	4/30/21	CalSavers	Employer Educational Webinar	Webinar	Employers
28.	5/4/21	CalSavers	Employer Educational Webinar	Webinar	Employers
29.	5/4/21	Defined Contribution Institutional Investment Association / SPARK Institute	Minding the Gap: Democratizing U.S. Retirement Savings	Webinar	Policy/Industry
30.	5/5/21	CalSavers	Employer Educational Webinar	Webinar	Employers
31.	5/7/21	Treasurer Fiona Ma w/ Cupertino Chamber's Legislative Action Committee	Cupertino Small Biz Workshop	Webinar	Employers
32.	5/7/21	CalSavers	Employer Educational Webinar	Webinar	Employers
33.	5/10/21	CalSavers	Employer Educational Webinar	Webinar	Employers
34.	5/12/21	CalSavers	Employer Educational Webinar (Spanish)	Webinar	Employers
35.	5/13/21	CalSavers	Employer Educational Webinar	Webinar	Employers
36.	5/14/21	CalSavers	Employer Educational Webinar	Webinar	Employers
37.	5/18/21	CalSavers	Employer Educational Webinar	Webinar	Employers
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43.	5/28/21	CalSavers	Employer Educational Webinar	Webinar	Employers
44.	6/1/21	CalSavers	Employer Educational Webinar	Webinar	Employers
45.	6/2/21	CalSavers	Employer Educational Webinar	Webinar	Employers
46.	6/4/21	CalSavers	Employer Educational Webinar	Webinar	Employers
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52.	6/16/21	CalSavers	Employer Educational Webinar	Webinar	Employers
53.	6/18/21	CalSavers	Employer Educational Webinar	Webinar	Employers
54.	6/21/21	CalSavers	Employer Educational Webinar	Webinar	Employers

Earned Media

Media coverage, including articles, television and radio segments, and podcasts published since the previous Board report, is summarized below.

	Date	Publication	Headline/Link
1	12/3/2020	ASPPA Net	Opt Outs Above 30% but Falling for CA, IL Saving Plans
2	12/7/2020	Hack My Business	Mark Herbert of Small Business Majority on Survival Solutions for the Future Episode 22
3	12/17/2020	RIABiz	Vestwell is in and Ascensus is out in Oregon as mushrooming 'force-function' state retirement plans spark heated bids to recordkeep; RIAs are angling for a cut, too
4	12/18/2020	MarketWatch	Auto-IRA programs are closing the coverage gap
5	12/22/2020	The New York Times	Saving at Work for Retirement: A Perk Coming to More States in 2021
6	12/23/2020	Retirement Learning Center	California and Oregon State-Sponsored Retirement Plans
7	1/3/2021	Law360	ERISA Arbitration, New Legal Theories To Be Tested In 2021
8	1/4/2021	Pensions & Investments	The 401(k) Plan Company launches California PEP
9	1/6/2021	PlanSponsor	The 401(k) Plan Co. Touts PEP as Alternative to CalSavers
10	1/10/2021	ASPPA Net	CalSavers: Growth in Q4, Opt-outs Hold Steady
11	1/15/2021	ASPPA Net	Illinois Secure Choice Assets Up, Registrations and Opt-outs Steady
12	1/17/2021	Los Angeles Times	Make America California Again? That's Biden's plan
13	1/25/2021	California Fiscal Focus	CalSavers Expanding Opportunity for Retirement Security Amid Pandemic Uncertainty
14	1/26/2021	JD Supra	Where to sell PEPs? Start with states that force employers to have plans
15	1/29/2021	Law360	Specter of ERISA Woes Not Derailing Auto-IRA Programs
16	1/31/2021	LA People	加州提供企业救助办法 财务长吁善用
17	2/1/2021	InvestmentNews	Virginia presses on with auto-IRA bill
18	2/2/2021	Arkansas Democrat Gazette	This legislative bill could make golden years much shinier
19	2/3/2021	ASPPA Net	CalSavers Starts 2021 with Growth
20	2/5/2021	The Daily Retirement News	Case of the Week: California and Oregon State-sponsored Retirement Plans
21	2/5/2021	Law360	Biden DOL Drops Out Of CalSavers ERISA Preemption Suit
22	2/5/2021	Bloomberg Law	Labor Department Pulls Back From California Retirement Fight
23	2/8/2021	Pensions & Investments	DOL backs out of CalSavers challenge
24	2/8/2021	ASPPA Net	DOL Drops Support for CalSavers Suit
25	2/8/2021	PlanSponsor	New Administration Backs Out of Lawsuit Against CalSavers
26	2/10/2021	InvestmentNews	DOL backs off from CalSavers lawsuit, but damage may be done
27	2/12/2021	The Wall Street Journal	U.S. Signals Policy Shift on California State Retirement-Savings Program
28	2/12/2021	Brookings	The Automatic IRA at 15: Helping Americans build retirement security
29	2/22/2021	ASPPA Net	Taking Account of State-Run Retirement Plans
30	2/22/2021	Lexology	ERISA Fiduciaries Under a Biden Labor Department: What Is on the Horizon?

	Date	Publication	Headline/Link
31	2/23/2021	Bloomberg Law	States' Auto-IRAs Already Bolstering Biden Retirement Agenda
32	3/1/2021	JD Supra	CalSavers Deadline Approaches for Mid-Sized Companies to Register or Certify as Exempt
33	3/3/2021	NAPA Net	Taking Account of State-Run Retirement Plans
34	3/4/2021	ASPPA Net	Growth in Participation, Assets for CalSavers in February
35	3/5/2021	401k Fridays Podcast	The State of State Run Retirement Plans: A Bi-Coastal Update
36	3/8/2021	California Dental Association	Offering retirement plan options can help dental practice owners promote employees' financial wellness
37	3/10/2021	Forbes	The Value Of Auto-IRAs: A Conversation With Michael Finke

Attachments

- Attachment 2A: Summary of Program Participation & Funding as of February 28, 2021
- Attachment 2B: Summary of Monthly Budget Report through November 30, 2020