

LIVE VIRTUAL COMMITTEE MEETING

*The Committee meeting will be held following the Board of Retirement meeting scheduled prior.



TO VIEW VIA WEB



TO PROVIDE PUBLIC COMMENT

You may submit a request to speak during Public Comment or provide a written comment by emailing PublicComment@lacera.com. If you are requesting to speak, please include your contact information, agenda item, and meeting date in your request.

Attention: Public comment requests must be submitted via email to PublicComment@lacera.com no later than 5:00 p.m. the day before the scheduled meeting.

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
300 N. LAKE AVENUE, SUITE 650, PASADENA, CA

AGENDA

THE MEETING OF THE

DISABILITY PROCEDURES AND SERVICES COMMITTEE

and

BOARD OF RETIREMENT*

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

**300 NORTH LAKE AVENUE, SUITE 810
PASADENA, CA 91101**

9:00 A.M., THURSDAY, APRIL 15, 2021 **

This meeting will be conducted by the Disability Procedures and Services Committee by teleconference under the Governor's Executive Order No. N-29-20.

Any person may view the meeting online at
https://members.lacera.com/lmpublic/live_stream.shtml.

*The Board may take action on any item on the agenda,
and agenda items may be taken out of order.*

COMMITTEE TRUSTEES:

JP Harris, Chair
Wayne Moore, Vice Chair
Herman B. Santos
Gina Zapanta
William Pryor, Alternate

- I. CALL TO ORDER
- II. APPROVAL OF THE MINUTES
 - A. Approval of the minutes of the regular meeting of March 11, 2021
- III. PUBLIC COMMENT
- IV. REPORTS
 - A. Discussion regarding Government Code Section 7522.56 and Employment of Vito Campese, M.D., as the Board of Retirement's Medical Advisor (Memo dated April 5, 2021)

V. ITEMS FOR STAFF REVIEW

VI. GOOD OF THE ORDER
(for information only)

VII. ADJOURNMENT

***The Board of Retirement has adopted a policy permitting any trustee of the Board to attend a standing committee meeting open to the public. In the event five (5) or more trustees of the Board of Retirement (including trustees appointed to the Committee) are in attendance, the meeting shall constitute a joint meeting of the Committee and the Board of Retirement. Trustees of the Board of Retirement who are not trustees of the Committee may attend and participate in a meeting of a Board Committee but may not vote, make a motion, or second on any matter discussed at the meeting. The only action the Committee may take at the meeting is approval of a recommendation to take further action at a subsequent meeting of the Board.**

****Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Board of Retirement meeting. Please be on call.**

Any documents subject to public disclosure that relate to an agenda item for an open session of the Committee, that are distributed to trustees of the Committee less than 72 hours prior to the meeting, will be available for public inspection at the time they are distributed to a majority of the Committee, at LACERA's offices at 300 North Lake Avenue, suite 820, Pasadena, California during normal business hours from 9:00 a.m. to 5:00 p.m. Monday through Friday.

Persons requiring an alternative format of this agenda pursuant to Section 202 of the Americans with Disabilities Act of 1990 may request one by calling the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday, but no later than 48 hours prior to the time the meeting is to commence. Assistive Listening Devices are available upon request. American Sign Language (ASL) Interpreters are available with at least three (3) business days notice before the meeting date.

MINUTES OF THE MEETING OF THE
DISABILITY PROCEDURES AND SERVICES COMMITTEE
and
BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION
GATEWAY PLAZA - 300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

THURSDAY, MARCH 11, 2021

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

COMMITTEE TRUSTEES

PRESENT:

JP Harris, Chair
Wayne Moore, Vice Chair
Herman B. Santos
Gina Zapanta (Joined meeting at 11:22 a.m.)
William Pryor, Alternate

ALSO IN ATTENDANCE:

BOARD TRUSTEES AT LARGE

Shawn Kehoe
Vivian Gray
Elizabeth Ginsberg
Ronald Okum
Les Robbins
Alan Bernstein

STAFF, ADVISORS, PARTICIPANTS

Tamara Caldwell, Disability Retirement Services Supervisor
Hernan Barrientos, Disability Retirement Services Supervisor
Francis J. Boyd, Senior Staff Counsel

I. CALL TO ORDER

The Meeting was called to order virtually by Chair Harris at 11:10 a.m.

II. APPROVAL OF THE MINUTES

A. Approval of the minutes of the regular meeting of February 11, 2021

Mr. Santos made a motion, Mr. Harris seconded, to approve the minutes of the regular meeting of February 11, 2021. The motion passed with all trustees present.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. FOR INFORMATION ONLY

A. The Board of Retirement and its Staff's
Role in Processing Disability Retirement
Applications and Appeals
Presentation by Frank Boyd, Senior Staff Counsel

Mr. Boyd and Ms. Contreras were present to answer any questions from the trustees.

V. ITEMS FOR STAFF REVIEW

There was nothing to report.

VI. GOOD OF THE ORDER

Trustees thanked Mr. Boyd for the presentation.


VII. ADJOURNMENT

With no further business to come before the Disability Procedures and Services Committee, the meeting was adjourned at 11:49 a.m.



April 5, 2021

To: Disability Procedures & Services Committee
J.P. Harris, Chair
Wayne Moore, Vice Chair
Herman B. Santos
Gina Zapanta
William Pryor, Alternate

From: Francis J. Boyd, 
Senior Staff Counsel

For: April 15, 2021 Disability Procedures & Services Committee Meeting

Subject: **Government Code Section 7522.56 and Employment of Vito Campese, M.D., as the Board of Retirement's Medical Advisor**

Introduction

Vito Campese, M.D., has provided invaluable service to the Board of Retirement as its Medical Advisor. However, his employment as a LACERA retiree does not comport with LACERA and the County of Los Angeles post-retirement-employment policies in connection with Government Code 7522.56. The purpose of this memo is to address Dr. Campese's employment in light of these policies and facilitate a discussion about possible transition plans for his replacement.

Dr. Campese's Employment Status

Government Code section 31530 instructs that "[t]he county health officer shall advise the board on medical matters and, if requested by the board, shall attend its meetings." Dr. Campese has served as the Board of Retirement's Medical Advisor since 2013. He was recommended by the Board's previous Medical Advisor, Oliver Kuzma, M.D. At the time, the County of Los Angeles was not interested in providing a health officer to advise the Board. So an arrangement was made between LACERA's CEO, Gregg Rademacher, and the County of Los Angeles CEO's office, wherein the County CEO hired Dr. Campese for his services to the Board, and LACERA agreed to reimburse the County for its costs. This arrangement continues through today.

Dr. Campese is a retiree from the County of Los Angeles Health Services Department and collects a pension from LACERA, and he was hired as a "120-day" retiree employee under Government Code section 7522.56.

LACERA and County of Los Angeles Policies for Post-Retirement Employment

On November 4, 2020, the Board of Retirement adopted a Post-Retirement Employment Policy, which states the following:

Under Government Code Section 31680.3, retired annuitants may work up to and not exceed 960 hours per fiscal year, on a temporary basis, without affecting their retirement status or benefits. PEPRRA added additional restrictions on the ability of a retiree to work for an employer in a retirement system while also collecting a pension from that system.

Pursuant to California Government Code Section 7522.56, a retired annuitant may work for LACERA on a temporary basis while continuing to receive retirement benefits if:

- LACERA determines it is necessary during an emergency to prevent stoppage of public business; or
- The retired annuitant has skills needed to perform work of *limited duration*. (Emphasis added).

Under the policy, "limited duration" is defined as follows:

6.4 Limited Duration

Limited duration is determined on a case-by-case basis, but it is expected to be the minimum period required to complete the work. The employment should terminate when the limited-duration work is completed. Examples of work of limited duration are work to eliminate a backlog, work on a special project, transfer to [sic] specialized knowledge and skills to permanent staff, and work that is in excess of what staff can do.

A copy of LACERA's policy is attached.

On February 12, 2016, the County of Los Angeles revised its own policy for post-retirement employment under Section 7522.56 that also limits the employment duration of retirees. The County's policy states the following in pertinent part:

The employment of the retiree shall be to a position on *a temporary basis* that requires special skills or knowledge in which staff could not be easily prepared or trained, or in critical positions where expertise is unavailable elsewhere in the department. The

department should develop a transition plan to ensure the transfer of the retiree's special skills or knowledge to current departmental employees. (Emphasis added.)

A Copy of the County's policy is attached.

Dr. Campese's ongoing post-retirement employment as the Board's medical advisor as a 120-day-retiree employee does not comport with LACERA and the County of Los Angeles' policies which restrict post-retirement employment to a limited duration.

Authority for Medical Advisor

Government Code section 31530 states the following:

The county health officer shall advise the board on medical matters and, if requested by the board, shall attend its meetings.

Section 31732 states the following in pertinent part:

The board shall secure such medical, investigatory and other service and advice as is necessary to carry out the purpose of this article. . .

In practice, medical matters generally arise in the adjudication of disability retirement applications, and the various retirement systems operating under CERL usually do not have the actual county health officer perform this function. The county health officer's deputy or other representative may be performing this function, or the retirement systems may be engaging physicians in private practice.

In August, the Board of Retirement approved legislation, in relevant part, clarifying that (1) the county health officer, either directly or through a duly authorized representative, advise the board on medical matters and (2) notwithstanding the county health officer, the board may contract with a physician in private practice under its existing authority to secure the necessary medical service and advice in carrying out its adjudication of disability. Senate Bill No. 634 was introduced on February 19, 2021 to clarify this issue.

Authorization to Conduct an RFP

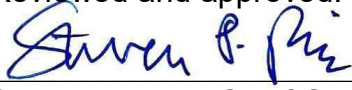
Because Dr. Campese's employment as its Medical Advisor does not comport with LACERA and the County of Los Angeles post-retirement-employment policies in connection with Government Code 7522.56, it is recommended that the Disability Procedures and Service Committee recommend to the Board of Retirement that it authorize an RFP to search for a candidate to replace him.

Re: Vito Campese, M.D., and Gov. Code Sec. 7522.56

April 5, 2021

Page 4 of 4

Reviewed and approved.

A handwritten signature in blue ink, reading "Steven P. Rice". The signature is written in a cursive style with a horizontal line underneath it.

Steven P. Rice, Chief Counsel

FJB

Attachments



POST RETIREMENT EMPLOYMENT POLICY

1. PURPOSE

The purpose of the Post Retirement Employment Policy (“Policy”) is to reaffirm and clarify the legal requirements for LACERA’s hiring of LACERA retirees (hereinafter referred to as “retired annuitants”). The goals of this Policy are to:

- Comply with relevant state and federal laws and the plan documents for the rehiring of retired annuitants while receiving a retirement benefit from LACERA; and
- To assist LACERA’s staff members with understanding the requirements for hiring retired annuitants who are looking to return to work for a limited duration.

2. LEGAL AUTHORITY

This Policy is adopted pursuant to the Board of Retirement’s plenary authority over the administration of the system (Cal. Const., art. XVI sec 17) to facilitate LACERA’s compliance with County Employees Retirement Law (CERL), the Public Employees’ Pension Reform Act of 2013 (PEPRA), and IRS regulations.

3. SCOPE

This Policy applies to LACERA’s hiring of LACERA retired annuitants to meet business needs in accordance with California Government Code Sections 31680.3, 7522.56 and IRS regulations.

To the extent that state or federal law provides for additional restrictions or conflicts with this Policy, the law shall prevail over this Policy.

4. POLICY STATEMENT

Under Government Code Section 31680.3, retired annuitants may work up to and not exceed 960 hours per fiscal year, on a temporary basis, without affecting their retirement status or benefits. PEPRA added additional restrictions on the ability of a retiree to work for an employer in a retirement system while also collecting a pension from that system.

Pursuant to California Government Code Section 7522.56, a retired annuitant may work for LACERA on a temporary basis while continuing to receive retirement benefits if:

- LACERA determines it is necessary during an emergency to prevent stoppage of public business; or
- The retired annuitant has skills needed to perform work of limited duration.

5. DEFINITIONS

5.1 Retired annuitant, as used in this Policy, means a LACERA retiree rehired as an at-will employee by LACERA without reinstatement from retirement. Retired annuitants do not accrue service credit or otherwise acquire any additional retirement benefits.

5.2 Normal retirement age for LACERA members:

Age 57 for general members of Plan A, B, C, D, or G

Age 65 for general members of Plan E

Age 55 for safety members

6. LEGAL REQUIREMENTS FOR THE HIRING OF RETIRED ANNUITANTS

6.1 Work Hour Limitation (960 Hours)

The retired annuitant may not work in excess of 960 hours in any July 1 - June 30 fiscal year. Once the 960 hours limit is reached, the retired annuitant is not permitted to receive any compensation for the remainder of the fiscal year. As a result, the hiring manager shall establish methods to control the days and hours worked by retired annuitants to ensure compliance with work limits.

6.2 Retired Annuitant's Skills

There should be some showing in the retiree's work history that he or she has previous experience and the skill set needed to perform the desired work.

6.3 Retired Annuitant's Compensation

The rate of pay for the employment of retired annuitants cannot be less than the minimum, nor exceed the maximum, paid by LACERA to staff performing comparable duties. Retired annuitants cannot receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly rate.

6.4 Limited Duration

Limited duration is determined on a case-by-case basis, but it is expected to be the minimum period required to complete the work. The employment should terminate when the limited-duration work is completed. Examples of work of limited duration are work to eliminate a backlog, work on a special project, transfer to specialized knowledge and skills to permanent staff, and work that is in excess of what staff can do.

6.5 No unemployment benefits

The retiree cannot be appointed as a retired annuitant if he or she received unemployment insurance payments during the 12 months period prior to the temporary appointment date. The retired annuitant is required to certify, in writing, that he or she is in compliance with this requirement. As a condition of employment, the retired annuitant must sign the attached "Condition of Post Retirement Employment and Waiver" form which covers this requirement. The signed form will be maintained by Human Resources Division.

6.6 Waiting Period for Post-Retirement Employment

On January 1, 2013, PEPRA became effective and established the following waiting period pertaining to the hiring of retired annuitants on a temporary basis. Retired annuitants must wait 180 days from their date of retirement before returning to work at LACERA on a

temporary basis except if it is necessary to fill a critically needed position and the hiring has been approved by the Board of Retirement in an open meeting.

Internal Revenue Service (IRS) regulations require a “bona fide” break in service after retirement before rehire. If the retired annuitant is under the “Normal Retirement Age”, a 90 day waiting period applies to the members who fall within the exception in the previous paragraph. This is a federal tax law requirement that must be met in addition to the PEPR requirement.

6.7 No Prearranged Agreement

LACERA members who retire before reaching Normal Retirement Age cannot have a prearranged agreement, either orally or in writing, before commencing retirement to return to work at LACERA in a position previously held prior to retirement or any other position. In addition, LACERA cannot hire a retired annuitant as a contract employee.

7. ADMINISTRATIVE PROCESS TO MONITOR AND TRACK RETIRED ANNITANTS

7.1 Requests

Managers are required to submit requests to hire retired annuitants to a 960 hour temporary assignment using the attached form *Request for Employment of Retiree to a 960 Hour Temporary Assignment* (the “Request”). The Request must include a description of the project, an explanation as to why the work cannot be performed by a current staff member, the retired annuitants’ skills and abilities and a description of the plan to complete the retiree’s work or transition it to a current staff member, and the expected limited duration of the work.

7.2 Approvals

Prior to offering temporary employment, the Requests require approvals by the Division Manager, Assistant Executive Officer, Human Resources Director and the Chief Executive Officer. No approvals will be granted for a period in excess of one year. All requests are subject to renewal and re-approval every fiscal year.

7.3 Monitoring

The Human Resources Division is responsible for monitoring and tracking compliance with the requirements as set forth in this Policy.

8. EFFECTIVE DATE

This Policy is effective on the day adopted by the Board of Retirement.

8.1 Current Status

Original Effective Date: November 4, 2020
Last Updated:
Responsible Manager: Director of Human Resources
Mandatory Review: Every Three Years



COUNTY OF LOS ANGELES
DEPARTMENT OF HUMAN RESOURCES

HEADQUARTERS
579 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-2406 FAX (213) 621-0387

BRANCH OFFICE
3333 WILSHIRE BOULEVARD • LOS ANGELES, CALIFORNIA 90010
(213) 738-2211 FAX (213) 637-0820

LISA M. GARRETT
DIRECTOR OF PERSONNEL

February 12, 2016

To: Department Heads

From: Lisa M. Garrett
Director of Personnel 

Subject: **REINSTATEMENT OF RETIREES TO A 120-DAY TEMPORARY ASSIGNMENT, PPG 505**

Attached is the revised Countywide Policies, Procedures, and Guidelines (PPG) 505, entitled *Reinstatement of Retirees to a 120-Day Temporary Assignment*, originally issued on March 30, 2004 and revised on February 13, 2015. This PPG was updated to incorporate new procedural changes issued by the Chief Executive Office (CEO) in their memorandum, dated January 14, 2016. The process will require that all requests to utilize retirees for a 120-day temporary assignment must be reviewed and approved by the CEO, Classification Division, in addition to the CEO, Budget Division, to ensure all provisions of the California Public Employees' Pension Reform Act of 2013 are met.

Please place the revised PPG in Tab 500 – *Human Resources Operations* of the Human Resources Management System Manual. Your Departmental Human Resources Manager will also receive a copy of this memorandum for inclusion in the department's master copy of the PPG Manual for distribution in your department. The revised policy may also be found on the DHR website at <http://dhr.mylacounty.info/>.

Should you have any questions, please contact me at (213) 974-2406 or your staff may contact Marisa Lopez, Senior Human Resources Manager, at (213) 351-8945.

LMG:EP:MAL
ML:ckc

Attachment

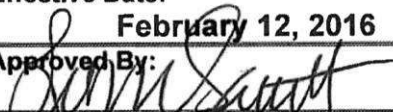
c: Chief Deputies
Administrative Deputies
Departmental Human Resources Managers

PPG 505 – LMG Memo to All DH

To Enrich Lives Through Effective and Caring Service



County of Los Angeles
Department of Human Resources
POLICIES, PROCEDURES, AND GUIDELINES

Subject: REINSTATEMENT OF RETIREES TO A 120-DAY TEMPORARY ASSIGNMENT	Policy Number: 505	Pages: 5
	Effective Date: February 12, 2016	
	Approved By: 	

POLICY

County department heads may reinstate retirees, under certain conditions, who have separated from County service without fault or delinquency for a period not to exceed 960 hours (120 days) in any one fiscal year.

Departments shall fully comply with new regulations set forth by the California Public Employees' Pension Reform Act (PEPRA) of 2013 pertaining to the waiting period of 180 days for hiring retired County employees on a temporary basis.

Violation of this policy may subject departmental staff and/or the retiree to appropriate corrective action which may include discipline for departmental staff, release of the retiree, and/or Los Angeles County Employees Retirement Association's (LACERA) suspension of the retiree's retirement and/or healthcare benefits.

Departments are required to submit all requests to reinstate a retiree to a 120-day temporary assignment using the Ordinance Position Authority (OPA) process in the Personnel Action Request (PAR) system. The process will require the review and approval of the Chief Executive Office (CEO), Classification Division, in addition to CEO, Budget Division to insure all provisions of PEPRA are met.

GUIDELINES

All County employees are required to terminate from active employment prior to receiving pension benefits through the LACERA. Pursuant to the Internal Revenue Service (IRS), the act of retirement requires a "bona-fide" separation from County service (i.e., an active employee must actually leave employment prior to receiving LACERA retirement benefits) before returning to work up to 960 hours (120 days) per fiscal year.

The employment of the retiree shall be to a position on a temporary basis that requires special skills or knowledge in which staff could not be easily prepared or trained, or in critical positions where expertise is unavailable elsewhere in the department. The department should develop a transition plan to ensure the transfer of the retiree's special skills or

Subject:

**REINSTATEMENT OF RETIREES TO A
120-DAY TEMPORARY ASSIGNMENT**

Policy Number: 505

Effective Date: February 12, 2016

knowledge to current departmental employees. The retiree shall be reinstated to the same, similar, or lower-level classification consistent with the duties and responsibilities of the reinstated position. Retirees may be placed at any step of the reinstated class, as determined by the department head.

The temporary assignment shall not exceed 960 hours or 120 days, whichever is greater, in a fiscal year. This total is a combined limit that applies to any and all temporary assignments by the retiree who may work in one or more County departments in a fiscal year. A fiscal year starts July 1st and ends June 30th. Moreover, as a temporary employee, the retiree may be assigned to supervise permanent County employees, but only under special circumstances as approved by the Department of Human Resources (DHR) and/or CEO.

Further, all hiring departments must ensure that retirees comply with this countywide policy and expressly agree that they will not apply for or accept unemployment compensation benefits based on their post-retirement County service on a 960-hour or 120-day assignment. As a condition of employment, the retiree must sign the attached "*Condition of Post Retirement Employment and (Waiver)*" form. The *Waiver* form shall be included in the employee's Official Personnel File within the department's Office of Human Resources.

Monitoring Retiree's Work Time Limit

Departments shall establish methods to control the days and hours worked by retirees to ensure that they do not violate the work time limits established by State and County codes. Departmental records will be subject to review and/or audit by DHR. Failure to adhere to the 960 hours (120 days) per fiscal year limit is not only a violation of the State law governing retirement benefits, but it may also jeopardize the qualified tax-deferred status of the County's retirement system under federal tax law and create significant adverse tax consequences for all active and retired County employees. In addition, LACERA may suspend the retiree's retirement and/or healthcare benefits if found in violation of the work time limit.

Waiting Period for Post-Retirement Employment

On January 1, 2013, PEPRA became effective and established the following regulations pertaining to hiring retired employees on a temporary basis:

1. An employee will need to wait 180 days from his/her date of retirement before returning to work on a temporary basis except under the following conditions:

Subject: REINSTATEMENT OF RETIREES TO A 120-DAY TEMPORARY ASSIGNMENT	Policy Number: 505 Effective Date: February 12, 2016
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- a) The hiring department can certify it is necessary to fill a critically-needed position and the hiring has been approved by the Board of Supervisors in a public meeting. The appointment may not be placed on a consent calendar.
- b) The retiree is a public safety officer or firefighter and is returning to perform public safety officer or firefighter duties.

Note: In both exceptions (a) and (b), a member who retires before reaching the *Normal Retirement Age* as indicated in the table below must wait 90 days from the date of retirement before commencing any temporary employment with the County in order to demonstrate a *bona-fide* separation of service as required by IRS regulation. These IRS regulations must be met in addition to the PEPRA requirement.

The Board of Retirement established the following *Normal Retirement Age* for LACERA members:

Retiree Plan	Normal Retirement Age
Safety Members of Plans A, B, and C	55
General Contributory Members of Plans A, B, C, D, and G	57
General Members of Plan E	65

LACERA members who retire before reaching the *Normal Retirement Age* may not enter into a prearranged agreement, either orally or in writing, before commencing retirement to return to work for the County in a position previously held prior to retirement or any other position.

- 2. A retired employee who, within the last 12 months, has received unemployment insurance resulting from prior County employment is not eligible for temporary employment and will need to wait 12 months to become eligible. Upon accepting an offer to temporary employment, the retiree must certify in writing that he/she is in compliance with this requirement.
- 3. A retired employee shall be paid at a rate not less than the minimum nor greater than the maximum rate paid by the County to other employees performing comparable duties.
- 4. The County cannot hire a LACERA retiree as a contract employee.

The department head's authority to reinstate retirees is delegated by the Director of Personnel under the provisions of Civil Service Rule 3.03. Review by CEO, Classification

Subject: REINSTATEMENT OF RETIREES TO A 120-DAY TEMPORARY ASSIGNMENT	Policy Number: 505 Effective Date: February 12, 2016
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Division and CEO, Budget Division is to insure compliance with all provisions outlined in PEPRA.

PROCEDURES

1. Departments shall determine whether or not the retiree is compliant with the new requirements set forth by PEPRA, including meeting the required waiting period, prior to offering temporary employment.
2. The retiree must be reinstated on a temporary item. Once the retiree has had a “*bona fide*” separation from County service, the retiree may be reinstated at any time. The retiree is not limited to Civil Service Rule 17.01(A), which allows former permanent employees in the classified service to be reinstated within two years from the date of separation.
3. Departments are required to submit all requests to reinstate retirees to a 120-day temporary assignment using the OPA process in the PAR system. The new process will require the review and approval of the CEO, Classification Division, in addition to CEO, Budget Division. The request must include the retirement date of the retiree, an organization chart for the affected position along with a duty statement outlining the proposed duties of the temporary assignment, and a statement substantiating the need for the temporary versus full-time position.
4. The hiring process must include the retiree’s signature on the *Waiver* form. This form must also be signed by the Departmental Human Resources Manager or designated representative.
5. The signed *Waiver* form must be filed in the employee’s Official Personnel Folder within the department’s Office of Human Resources Office.

Any questions concerning this policy may be directed to the Department of Human Resources, Departmental Support Division (213) 351-8945.

ATTACHMENT

Condition of Post Retirement Employment and Waiver Form

AUTHORITY

- California Public Employees’ Pension Reform Act of 2013
- State of California Government Code Section 31680.6

Subject: REINSTATEMENT OF RETIREES TO A 120-DAY TEMPORARY ASSIGNMENT	Policy Number: 505 Effective Date: February 12, 2016
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- Los Angeles County Code, Civil Service Rules 3.03 and 17.01(B)
- LACERA Board of Retirement Resolution 06-001, August 10, 2006
- Chief Executive Office memos, 120-Day Retirees (February 23, 2010); 120-Day Retirees, (December 2, 2009); New Rules Regarding Employment of Retirees, (October 5, 2007); New Process For Reinstatement of Retirees to a 120-Day Temporary Assignment (January 14, 2016)

DATE ISSUED/REVIEW DATE

Original Issue Date: March 30, 2004 as PPG 198

Review Date: February 13, 2015

Review Date: February 12, 2016



County of Los Angeles

CONDITION OF POST RETIREMENT EMPLOYMENT AND WAIVER

Department: _____

Employee Name: _____

Employee Number: _____

I, _____ retired from County service on _____.
I desire to perform limited duration, compensated, post-retirement service as provided in Government Code Sections 31680.2 and 31680.6 while remaining on retired status. During this employment there will be no suspension or termination of my retirement allowance and benefits. I intend, understand, and acknowledge that the duration of this employment with this department, including those with any other County department, is limited to a maximum combined total of 120 working days or 960 hours within a fiscal year of 12-month period. Violation of this work hour limit may cause the suspension of my retirement allowance and healthcare benefits by Los Angeles County Employees Retirement Association. I understand that I have no expectation of continued employment beyond the work time limit.

Therefore, as a condition of such employment, I expressly agree not to apply for, or accept, and I disclaim and waive any right to, unemployment compensation benefits based on my post retirement service.

I also certify that I have not received any unemployment insurance within the last 12 months resulting from prior County employment.

I have read and understand the above waiver and condition of employment.

Employee Signature

Date

Print Name

Departmental Human Resources Manager's Signature
Or Designated Representative's Signature

Date

Print Name