

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION APPROVING AN AMENDMENT TO BOARD OF RETIREMENT
REGULATION 4.14 RELATING TO “REQUIRED BREAK IN SERVICE PRIOR TO
POST RETIREMENT EMPLOYMENT”**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Government Code §31525 provides that the Board of Retirement, with the approval of the Board of Supervisors, may establish regulations that govern the operation of San Mateo County Employees’ Retirement Association (“SamCERA”) that are not inconsistent with the California Employees’ Retirement Law of 1937; and

WHEREAS, Board of Retirement regulation 4.14 sets forth certain requirements for SamCERA members who wish to return to employment with a SamCERA employer after retirement; and

WHEREAS, in 2012, the California Public Employees’ Pension Reform Act was enacted and it mandates additional requirements that must be met prior to a retired member becoming reemployed by a SamCERA employer, and regulation 4.14 has been amended to reflect such requirements; and

WHEREAS, the Board of retirement has approved the amendment to Board of retirement regulation 4.14; and

WHEREAS, this Board of Supervisors has reviewed the amendment to board of

retirement regulation 4.14 and finds it to be in the best interests of the members of SamCERA and the fund;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the amendment to regulation 4.14 “Required Break In Service Prior To Post Retirement Employment” of the regulations of the Board of Retirement is approved and shall apply to all members of SamCERA and shall read as follows:

4.14 Required Break In Service Prior to Post Retirement Employment.

Regardless of a member’s age, every member who is reemployed by a SamCERA employer consistent with the terms of Government Code section 7522.56, or any amendments thereto, shall have a 180-day break in service from the date of retirement to the commencement of the reemployment. If a member is reemployed within the 180 days, pursuant to Government Code section 7522.56, and the member retired at an age younger than normal retirement age, as defined in section 4.12, there must be at least a continuous 90-day break in service from the date of the member’s retirement prior to such reemployment unless such reemployment is to respond to an emergency declared by a government agency or an emergency that may prevent the stoppage of public business.

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