



County of San Mateo

Inter-Departmental Correspondence

Department: HEALTH

Board Meeting Date: 3/10/2020

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Louise Rogers, Chief, San Mateo County Health
Srija Srinivasan, Deputy Chief, San Mateo County Health

Subject: Resolution Certifying the Critical Need for Retiree Appointments

RECOMMENDATION:

Adopt a resolution authorizing the hiring of County retirees into Extra Help positions in certain classifications within County Health for the purposes of addressing anticipated staffing shortages during the declared emergency for the Corona virus outbreak pursuant to Government Code section 7522.56(f)(1); and certifying that the nature of the employment and the appointments are necessary to fill critically needed positions during the retirees' 180-day post-retirement separation periods. The classifications for hire and certification of critical need are: Ambulatory Care Nurse; Charge Nurse; Clinical Nurse; Critical Care Nurse; Licensed Vocational Nurse; Medical Services Assistant II; Medical Surgical Nurse; Patient Services Assistant II; Psychiatric Nurse; Public Health Nurse; Senior Public Health Nurse.

BACKGROUND:

In September 2012, the California Public Employees' Pension Reform Act (PEPRA) was signed into law as Assembly Bill 340. PEPRA requires a 180-day separation ("sit-out") following the date of retirement for non-safety retirees who are re-employed by a public agency within the same retirement system as an employee, unless the employer certifies that the nature of the employment and the appointment is necessary to fill a critically-needed position before the 180 days has passed. (Government Code section 7522.56)

In order for the exception to the sit-out to apply, the governing body of the employer, which in this case is the Board of Supervisors, must approve of the appointments by resolution in a public meeting on the regular calendar.

DISCUSSION:

On March 3, 2020, County Public Health Officer Dr. Scott Morrow declared a local health emergency in San Mateo County due to the introduction in the County of a novel coronavirus, which causes a

disease named "COVID-19" by the World Health Organization ("WHO"). In his declaration, Dr. Morrow noted that the Centers for Disease Control and Prevention ("CDC") has stated that COVID-19 is a serious public health threat. He also stated that the number of reported COVID-19 cases has escalated dramatically over a short period of time. Ratification of the declaration of local health emergency is pending before the Board Supervisors at the present meeting.

County Health anticipates a potential shortage of critical staff during the emergency due to factors such as increased patient load and staff-related illness or exposure. Passage of this resolution will allow County Health to better address staffing needs with recently retired employees with the skill and training necessary to address County Health's critical needs during the emergency.

The rate of pay for the retirees hired shall not be less than the minimum, nor exceed the maximum, paid by the County to other employees performing comparable duties. Applicable State and Federal laws and regulations as well as SAMCERA's Board Regulations will be observed for these hires. However, given the government-declared state of emergency, certain laws and regulations contain exceptions allowing for greater flexibility to address the emergency.

County Counsel has reviewed and approved the resolution as to form.

FISCAL IMPACT:

The anticipated costs are difficult to estimate at this time. The retirees will be reemployed in Extra Help positions and will receive the hourly rate for the position. It is anticipated there are sufficient funds in the FY 2019-20 Adopted Budget to cover these costs. Furthermore, Health will be seeking reimbursement from the State for the additional costs caused by the COVID-19 emergency.