



County of San Mateo

Inter-Departmental Correspondence

Department: SHERIFF

File #: 19-271

Board Meeting Date: 4/9/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Carlos G. Bolanos, Sheriff

Subject: Resolution Certifying the Critical Need for Retiree Appointment

RECOMMENDATION:

Adopt a resolution approving the hiring of retired Executive Assistant Carolyn Thomas to an extra-help position to provide critical administrative support to the Sheriff and certifying, pursuant to Government Code §7522.56(f) (1), that the nature of employment and appointment is necessary to fill a critically-needed position before the post-retirement 180-day separation period expires.

BACKGROUND:

On September 12, 2012, the California Public Employees' Pension Reform Act, which is known as "PEPRA" (Assembly Bill 340), was signed into law effective January 1, 2013. Additionally, Assembly Bill 197, which amends a portion of the 1937 Act, was signed into law the same date to be effective January 1, 2013. The PEPRA legislation includes provisions in Government Code §7522.56 requiring a 180-day separation ("sit-out") period 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 or through a contract unless:

- The employer certifies the nature of the employment and that appointment is necessary to fill a critically-needed position before the 180 days has passed.

For the exception to apply, legislation requires that your Board, as the employer's governing body, must approve by resolution the appointment in a public meeting and not on the consent calendar.

DISCUSSION:

The Sheriff's Executive Assistant plays a critical role in the executive team by processing confidential materials that require the direct attention of the Sheriff and/or executive team. The position requires participation in management activities requiring a good working knowledge of the organization and programs under the Sheriff's Office jurisdiction and an intimate knowledge of the Sheriff's policies and views. The Executive Assistant must use discretion in developing work methods and procedures

and is frequently required to resolve office emergencies independently. Additionally, the Executive Assistant is tasked with providing a wide variety of administrative, analytical, and work-flow support within the Sheriff's Office.

Ms. Thomas has handled these duties for the Sheriff for 26 years, and her extensive knowledge of the Sheriff's Office will be critical during the transition to her replacement. In addition to the duties noted above, the Executive Secretary working in the same office as Ms. Thomas is out on maternity leave and Ms. Thomas' work is needed to temporarily fill the void. The intricate and confidential nature of the work performed makes it impractical to fill this position with a temporary extra-help employee. The Sheriff hereby certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed.

Ms. Thomas will be paid \$45.63 per hour for her assistance for a period not to exceed 960 hours in 12 months. This rate is equivalent to the hourly rate of pay of an Executive Assistant, Ms. Thomas' former position. She will also be eligible for all benefits currently offered to extra help employees, including the Wellness Program, mileage reimbursements for work related out-of-County travel, and participation in the County's Commute Alternatives Programs.

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

Approval of this agreement contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring the Sheriff's Office can effectively and efficiently coordinate critical duties thereby effectively serving the community.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Appropriations to cover extra-help costs are included in the Sheriff's Office Budget.