Resolution for Exemption to the 180-Day Wait Period to Hire CalPERS Retiree

Rebecca "Becky" Callas is the Sheriff's Office Fiscal Manager and will retire on July 5, 2019. The Sheriff's Office recommends the Board of Supervisors approve the request to continue extra-help employment of Becky Callas post-retirement.

The Public Employees' Pension Reform Act of 2013 makes retirees ineligible for a period of 180 days after retirement. An exemption to this rule is permitted by Government Code section 7522.56(f)(1) if approved by the governing body in a public meeting on the regular agenda.

The Sheriff-Coroner recommends approval of a resolution to allow the extra-help hiring of Becky Callas as a Fiscal Manager. This position requires significant expertise in the areas of law enforcement operations, fiscal management, and related management duties. There is no staff member in the Department with the level of expertise required to perform the necessary job functions of Fiscal Manager. Ms. Callas will fill the vacancy for a limited duration to train the new Fiscal Manager, help with the elimination of a backlog of work, and complete special projects.

The Director of Human Resources has reviewed the facts and concurs that the request is consistent with Government Code section 7522.56(f)(1).

Fiscal Impact:

$47.13 per hour, estimated less than $3,000 per month.

Personnel Impact:

Extra-Help.

Action Requested:

Adopt resolution and authorize the Chair to sign.
RESOLUTION FOR EXEMPTION TO THE 180-DAY WAIT PERIOD TO HIRE CALPERS RETIREE
PER GOVERNMENT CODE SECTIONS 7522.56 AND 21224

WHEREAS, in compliance with Government Code section 7522.56, the Butte County Board of Supervisors must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Rebecca Callas (Employee # 35932) will retire from the Butte County Sheriff’s Office on July 5, 2019, from the position of Fiscal Manager; and

WHEREAS, Government Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is January 1, 2020, without this certification resolution; and

WHEREAS, Government Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Butte County Board of Supervisors, the County of Butte and Rebecca Callas, certify that Rebecca Callas has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the County of Butte hereby appoints Rebecca Callas as an extra help retired annuitant to perform specialized duties as Fiscal Manager for the County of Butte as permitted under Government Code section 21224, effective July 6, 2019; and

WHEREAS, the entire employment agreement appointment document between Rebecca Callas and the County of Butte has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum monthly base salary for this position is $8169.20 and the hourly equivalent is $47.13 and the minimum monthly base salary for this position is $6094.40 and the hourly equivalent is $35.16; and

WHEREAS, the hourly rate to be paid to Rebecca Callas will be $47.13; and

WHEREAS, Rebecca Callas has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.
NOW, THEREFORE, BE IT RESOLVED that the Butte County Board of Supervisors hereby certifies the nature of the appointment of Rebecca Callas is necessary to help with the elimination of a backlog, complete special project work, and to perform work in excess of what regular staff can do.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 25th day of June, 2019, by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

______________________________
Steve Lambert, Chair
Butte County Board of Supervisors

ATTEST:
Shari McCracken, Chief Administrative Officer
and Clerk of the Board

By: ______________________________
Deputy