# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item#\_1 .3\_

**Meeting Date:** 

### SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

#### **RESOLUTION NO. 2773**

### APPOINTMENT TO FILL A CRITICALLY NEEDED POSITION BY CLASSIFIED RETIREE

**WHEREAS**, Susan Pointer ("Pointer"), after many years of dedicated service, will be retiring from her classified position as the District's only legal analyst on February 3, 2014; and

**WHEREAS**, the Public Employee's Pension Reform Act of 2013 (Government Code §7522 et seq.) restricts school districts that contract with CalPERS from employing classified retired employees for 180 days from the date of their retirement (the "180-Day Wait Period") unless certain conditions are met; and

**WHEREAS**, the District finds it necessary to have Pointer provide specialized training and support to her successor during the 180-Day Wait Period as the only employee in the Legal Services Department; and

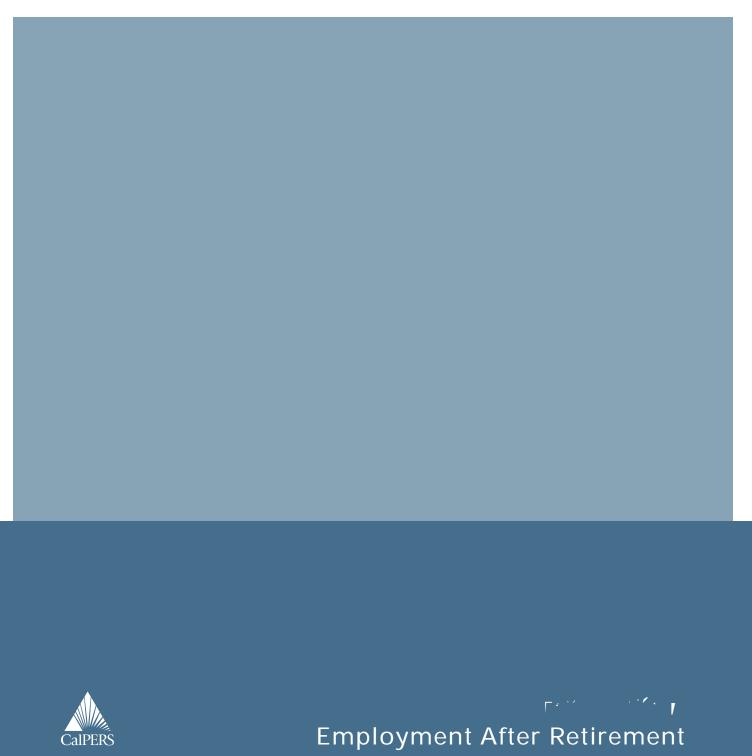
**WHEREAS**, pursuant to CalPERS statutory requirements, Pointer's continued employment in her current position will be of limited duration, will not exceed 960 hours in a fiscal year, will not exceed the maximum monthly base salary paid to other employees performing comparable duties as she is the only employee in the Legal Services Department, and will not receive any benefit, retirement incentive,



# California Public Employees' Retirement System P.O. Box 942715 Sacramento CA 94229-2715

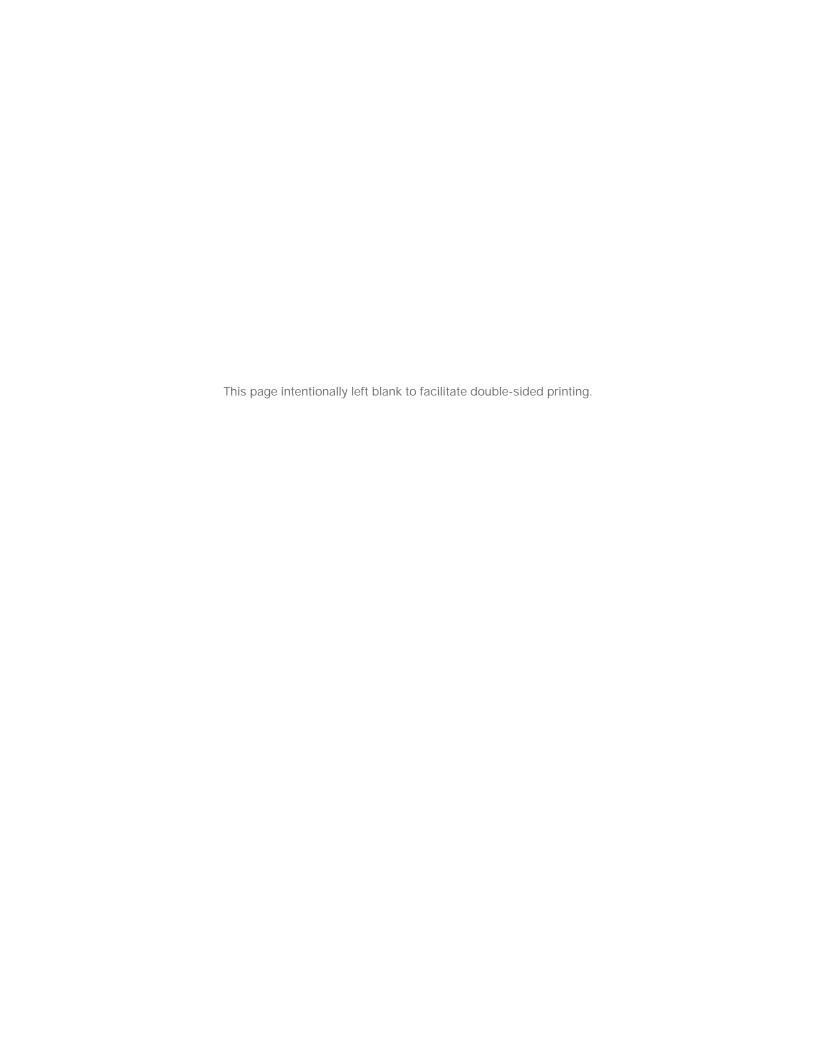
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#### WHAT ALL RETIREES SHOULD KNOW

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#### What You Should Know Before Working After Retirement

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### Consequences of Unlawful Employment

### CalPERS Employment in a Temporary Capacity

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If you are employed by any CalPERS employer in any permanent or regular staff position not specifically permitted under retirement law, you will be unlawfully employed. Your temporary employment must not exceed a total of 960 hours for all employers in any fiscal year (July 1 through June 30).

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# Independent Contractor, Consultant and Contract Employment

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#### Third-Party Employer

# Unemployment Insurance Payments for Work as a Retired Annuitant

# Special Appointments – The 180-Day Wait Period Does Not Apply

Note: If you did collect unemployment insurance benefits, the 12-month preclusion period begins the day after the issue date of your last unemployment insurance payment.

## Special Appointments – The 180-Day Wait Period Does Apply

- Election Of cer or Juror: Y, ca a e a e ec., , ca a va a d e ece, e ee a v c a, ce.

- School Crossing Guard: Y, ca be e ed a c e

#### ALL SERVICE RETIREES

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#### Employment With a Non-CalPERS Employer

## Eligibility to Work for a CalPERS Employer in a Temporary Capacity

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#### Temporary vs. Permanent Employment

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(• 888-225-7377).

# ALL DISABILITY AND INDUSTRIAL DISABILITY RETIREES

www.calpers.ca.gov 11

# Eligibility to Work for a CalPERS Employer in a Temporary Capacity

#### Temporary vs. Permanent Employment

# Eligibility to Work for a CalPERS Employer in a Permanent Capacity

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- · Position duty statement

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Current medical report(s)

#### Required Documents

- A completed Request to Work While Receiving Disability/Industrial Disability Retirement Bene ts form.
- A completed Physical Requirements of Position/Occupational Title form.
- A position duty statement for the prospective job.
- A current medical report from a medical specialist.

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### · Additional medical report(s)Local safety retirees

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### Once Approved Under Government Code Section 21228

Once approved, you will be informed of the amount of your earnings limit and how to report your earnings.

If you wish to change to a different employer or a different position or restart employment in a previously approved position, you must reapply to CalPERS and await our approval before beginning employment.

www.calpers.ca.gov 1

Put your name and Social
Security number or CalPERS ID
at the top of every page

Put your name and Social
Security Number or CalPERS ID
Social Security Number or CalPERS ID

Section 2	<b>Employer Certi catio</b>	n			
Permanent employment	It is the intent of:		to hire:		
or changes in employment		Employer	C	alPERS Member	
status (e.g., lateral transfer			pursuant of Government Code Section 21228		
or promotion) that begins prior to written approval	and contingent upon written approval from CalPERS.				
from CalPERS may result in	1				
mandatory reinstatement.	Employer Address (City, State, Z	ZIP Code)			
	Daytime Phone Fax	x Number	E-Mail Address		
	We understand that reinstatement of the retiree, due to unlawful employment, to any position our agency, may result in penalties and payment of contributions to CalPERS, retroactive to date of hire.				
	The salary range for this	position is:		hourly/monthly.	
	Employer Signature			Date (mm/dd/yyyy)	
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Mail to:

CalPERS Bene t Services DivisionO. Box 2796, Sacramento, California 95812-2796

This form must be completed by the member and their employer to supplement the physical Section 1  Member Information    Name of Member (First Name, Middle Initial, Last Name)   Social Security Number or CalPER	RS ID
completed by the member and their employer to supplement the physical suppleme	RS ID
and their employer to supplement the physical  Position/Occupation to Position/Occupation to Name of Employer	
supplement the physical	
requirements listed on	
the member's job duty  Worksit&treet Address	
statement/job description. City State ZIF	)

Put your name and Social Security number or CalPERS ID at the top of every page.

Activity	Never	OccasionallyFrequently Up to 3 hours		

#### BECOME A MORE INFORMED MEMBER

### CalPERS On-Line

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www.calpers.ca.gov 21

### Visit Your Nearest CalPERS Regional Office

#### Fresno Regional Of ce

10 R, a Pa· P. ace Ea., S. e 230 Fa e · , CA 93720

#### Glendale Regional Of ce

Godae P. a a 655 N • Co • a A o · e, S . e 1400 Godae, CA 91203

#### Orange Regional Of ce

500 N • . S.a.e C ...e, e B ...e, a d, S ...e 750 O a ...e, CA 92868

### Sacramento Regional Of ce

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#### San Bernardino Regional Of ce

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#### San Diego Regional Of ce

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#### San Jose Regional Of ce

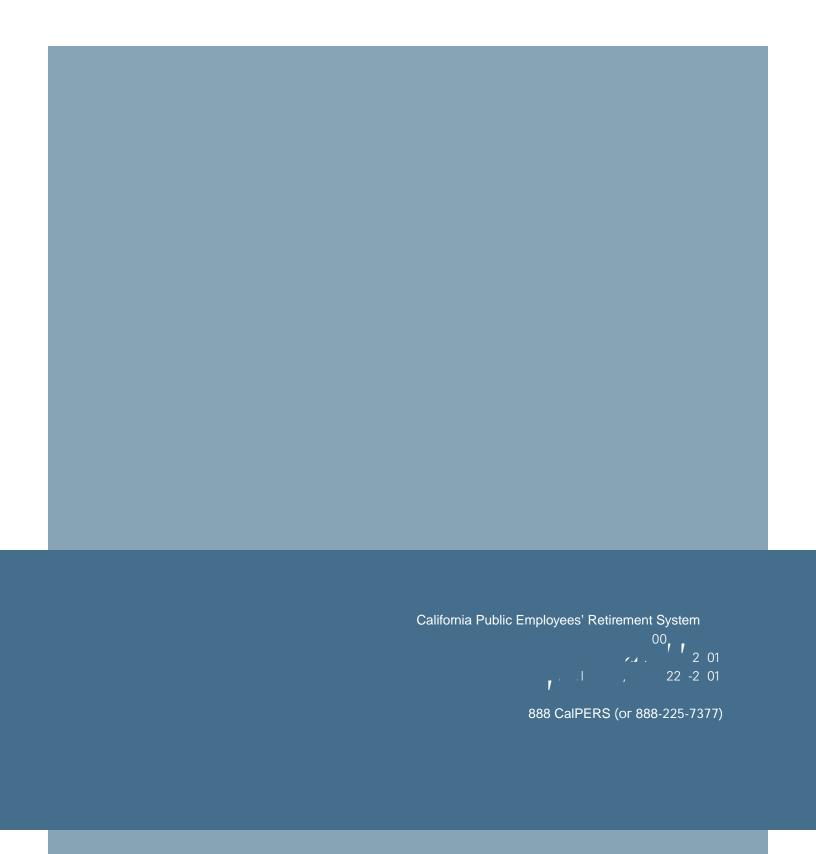
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#### Walnut Creek Regional Of ce

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#### INFORMATION PRACTICES STATEMENT

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#### **GOVERNMENT CODE - GOV**

#### 7522.56.

(a) This section shall apply to any person who is receiving a pension benefit from a public retirement system and shall supersede any other provision in conflict with this section.

reinstatement from retirement or loss or interruption of benefits provided by the retirement system upon appointment by the appointing power of a public employer either during an emergency to prevent stoppage of public business or because the retired person has skills needed to perform work of limited duration.

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- (d) Appointments of the person authorized under this section shall exceed a total for all employers in that public retirement system of 960 hours or other equivalent limit, in a calendar or fiscal year, depending on the administrator of the system. The rate of pay for the employment shall not be less than the minimum , nor exceed the maximum, paid by the employer to other employees performing comparable duties, divided by 173.333 to equal an hourly rate. A retired person whose employment without reinstatement is authorized by this section shall acquire no service credi tor retirement rights under this section with respect to the employment unless he or she reinstates from retirement.
- (e) (1) Notwithstanding subdivision (c), any retired person shall not be eligible to serve or be employed by a public employer if, during the 12-month period prior to an appointment described in this section, the retired person received any unemployment insurance compensation arising out of prior employment subject to this section with a public employer. A retiree shall certify in writing to the employer upon accepting an offer of employment that he or she is in compliance with this requirement.
- (2) A retired person who accepts an appointment after receiving unemployment insurance compensation as described in this subdivision shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment subject to this section for a period of 12 months following the last day of employment.