

RESOLUTION NO. 15- 8113

**RESOLUTION TO WAIVING THE 180 DAY SIT-OUT PERIOD FOR A
RETIRED ANNUITANT TO PERFORM THE DUTIES OF
HUMAN RESOURCES DIRECTOR**

WHEREAS, the State Legislature has adopted AB 340 in order to implement comprehensive pension reform through the enactment of the California Public Employees' Pension Reform Act of 2013 (PEPRA) as well as other statutory changes; and

WHEREAS, PEPRA applies to all public employers that participate in the California Public Employees' Retirement System (PERS) on or after January 1, 2013; and

WHEREAS, California Government Code section 7522.56, as enacted in PEPRA, requires newly retired persons to sit out for at least 180 days before returning to work for an employer in the same retirement system in which they receive a retirement allowance; and

WHEREAS, an exception can be made if a county's Board of Supervisors certifies that the nature of the employment and the appointment is necessary to fill a critically needed position and the 180 days has not yet passed; and

WHEREAS, Gayla Trumbo has been employed by the County as the Human Resources Director as of July 2, 2002, and prior to that has 25 years of experience within various positions with Plumas County; and

WHEREAS, Mrs. Trumbo will retire from County service on November 14, 2015 and will not be accepting a retirement incentive upon retirement; and

WHEREAS, Mrs. Trumbo has attained "normal retirement age," as the term is used in Government Code section 21220.5, and therefore no bona fide separation is required under Government Code section 21220.5; and

WHEREAS, Mrs. Trumbo possesses specialized skills with her years of service with Plumas County as a Human Resources Director, as well as specialized skills at various levels of the Human Resources Department including payroll functions.

WHEREAS, the County has been actively recruiting for the Human Resources Director position since May of this year without resulting in a successful hire for this position; and

WHEREAS, the County anticipates a hire will be made in the next two months and would like sometime for training especially with the yearend approaching; and

WHEREAS, at this time the Human Resources department consist of the Director and three employees; two of which are new to their positions and further training is needed; and

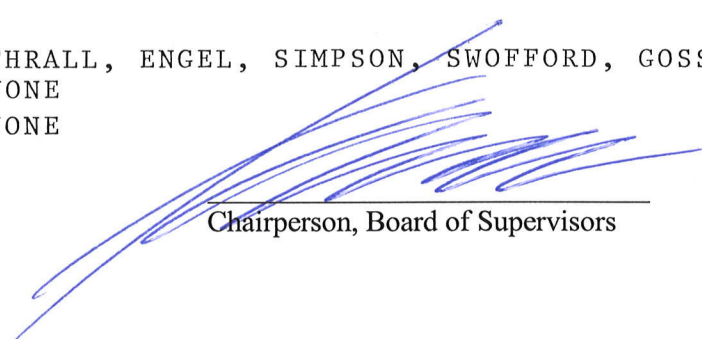
WHEREAS, it is proposed that the 180-day waiting period be waived to allow Mrs. Trumbo to return to work after her retirement date on an interim appointment, not to exceed nine hundred and sixty hours, while the recruitment for the Human Resources Director position is ongoing, and shortly thereafter to provide training to the new incumbent.

NOW, THEREFORE BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

1. The Board of Supervisors certifies that the employment of Gayla Trumbo is necessary to fill a critically needed position before the 180 days sit-out period required by Government Code Section 7522.56 has passed.
2. The County needs Mrs. Trumbo's specialized knowledge and technical skills to perform the duties and functions of the Human Resources Director.
3. Mrs. Trumbo will be employed at \$44.5359 per hour, which is her current hourly base rate for the Human Resources Director position, and no other compensation or benefits shall be provided.
4. Mrs. Trumbo shall not work more than nine hundred and sixty (960) hours during this interim appointment.
5. Mrs. Trumbo has certified in writing that she did not, during the 12-month period preceding the re-employment date of November 16, 2015, receive unemployment insurance arising from prior employment with the County.
6. This resolution was adopted at a properly noticed public meeting and was not placed on the consent calendar, in compliance with Government Code section 7522.56(f)(1).
7. This appointment shall be effective beginning November 16, 2015.


The foregoing Resolution is duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 3rd day of November, 2015 by the following vote:

AYES:	Supervisors	THRALL, ENGEL, SIMPSON, SWOFFORD, GOSS
NOES:	Supervisors	NONE
ABSENT:	Supervisors	NONE



Chairperson, Board of Supervisors

ATTEST:



Clerk of the Board