



Working Retiree Reemployment Policy

Policy Number:

Policy:

Reemployment of personnel who have retired from their positions with the County of Orange may be hired as temporary employees, under specific circumstances.

Purpose:

To provide policies and procedures related to the temporary hiring of retirees only for the purpose of either preventing the stoppage of public business during an emergency or because the retiree has specialized skills that are needed by the County for a limited duration.

Authority:

California Government Code Section 7522.56, PEPRA Act of 2013; Personnel and Salary Resolution (PSR).

Procedure:

Retirees receiving pension benefits from the Orange County Retirement System ("OCERS") may temporarily serve the County under the following conditions:

Guidelines:

- The retiree must either have a specialized skill that is needed by the County for a limited duration (960 hrs. or less) or their service must be necessary to prevent the stoppage of public business during an emergency;
- The classification to which the retiree will be assigned matches the position's responsibilities and the employee's skillset;
- Justification of an ongoing need for a working retiree must be submitted on an **annual basis** to CEO/Budget and the Human Resource Services department. If the justification for the working retiree is approved for reoccurring seasonal workloads, the justification for the working retiree must be resubmitted for approval **every two years**.
- Per the PEPRA Act of 2013, any employee returning after January 1, 2013, except for public safety officers receiving benefits from OCERS shall not be eligible to be reemployed for a period of 180 days following the date of retirement unless the County Executive Office certifies the critical nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed. The retiree's appointment must then be approved by the Board of Supervisors during a public meeting. The item requesting such appointment must be placed on the discussion calendar.

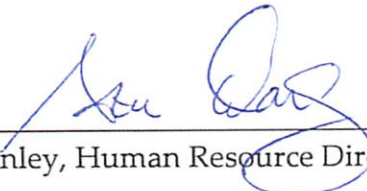
Compensation and Terms of Employment:

The working retiree may be appointed according to the salary parameters listed below, unless, in an exceptional circumstance, a higher salary is approved by the CEO:

- If the retiree is returning to an equivalent or higher level position, the hourly rate cannot exceed 80% of the hourly rate that the employee earned at the time of retirement or Step 1 of the salary range if 80% is less than Step 1.
- For retirees in classifications on a salary range without steps, the employee is to be placed on a step closest to, but not to exceed, 80% of the hourly rate the employee earned at the time of retirement.
- If the retiree is returning to a lower level classification, the hourly rate cannot exceed the midpoint of the salary range of the lower classification.
- The working retiree's hourly rate shall not increase for the duration of the working retiree's assignment.
- The working retiree may work for not more than nine hundred sixty (960) hours in any one fiscal year. If the maximum hours are exceeded, the position will be deleted and the working retiree will be separated. A working retiree who is separated under this circumstance will not be eligible for reemployment as a working retiree.
- The working retiree shall acquire no service credit or additional retirement rights with respect to the reemployment unless the retiree is formally reinstated from retirement as an active employee.
- Employment as a working retiree is at the pleasure of the County of Orange and the working retiree may be released at any time, for any reason.
- The retired person must certify in writing to the County that he or she did not, during the 12-month period preceding the reemployment date, receive unemployment insurance arising from prior employment with the County or any other public employer.
- The approved request shall be scanned into the employee's "Sign-ups and Salary Records" file in the electronic employment file.

The table below describes the process for requesting and approving the filling of an existing position with a Working Retiree or to request an annual or bi-annual extension for an existing Working Retiree.

Stage	Who	Does What
1	Department	Completes Request for Working Retiree Form , obtains required departmental approvals, and forwards to Human Resource Services (HRS).
2	HRS	Reviews the Request for Working Retiree Form for consistency with policy/MOU including proper classification and pay and forwards approved request to CEO Budget. Denied requests will be sent back to the Department.
3	CEO Budget	Reviews Request for Working Retiree Form for consistency with budget and process, approves or denies the request and returns it to the Department.
4	Department	Scans the approved Request for Working Retiree Form and attaches the form to the REHRW action. Note: The documents will proceed through workflow, be processed with the transaction through the nightly batch cycle, and permanently retained in OnBase.


Steve Danley, Human Resource Director

2/26/13
Date