REVISED

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

JOHN L. SCOTT, SHERIFF

A Tradition of Service

November 05, 2014

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
52 November 5, 2014
SACHI A. HAMAI
EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

AUTHORIZE THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TO SUSPEND LACERA BENEFITS AND EMPLOY ON AN INDEFINITE BASIS (ALL DISTRICTS) (3 VOTES)

SUBJECT

The Los Angeles County Sheriff's Department (Department) is seeking Board approval to employ Los Angeles County ~~(County)~~ Superior Court retiree Ms. Constance R. Quintana as a permanent employee. Ms. Quintana has been advised that upon her approval to return to active service, her current Los Angeles County Retirement Association (LACERA) retirement allowance will be suspended.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Department to employ Ms. Quintana, in compliance with the County's Government Code Sections 31680.4 and 31680.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Ms. Quintana was laid off from the County's Superior Court effective June 30, 2012. Due to potential financial difficulties imposed by the lay off, Ms. Quintana elected to retire from the Superior Court. The decision to retire was not easy for Ms. Quintana, who desired to continue working; however, the financial difficulties she faced at the time of her lay off made retirement the only viable option.

Consistent with the Board's policy, adopted on July 6, 1993, which allows the reemployment of retired employees on an indefinite basis, the Department is requesting the Board's approval for the employment of Ms. Quintana into active County service as a Records System Clerk I, Item #2240, Schedule G65, Step 1, $2,493 per month. Upon her return to County employment, Ms. Quintana's retirement allowance will be cancelled until termination of her employment.

The Department has a critical need to fill the vacant Records System Clerk I positions, specifically in the Countywide Warrant Section (CWS) within the Department's Records and Identification Bureau (RIB). This Unit is responsible for providing warrant information to law enforcement agencies across the nation on a 24-hour, 7 days-a-week basis. As such, the CWS receives a large volume of requests for information regarding warrants that must be processed in a timely manner. Insufficient staffing in the Unit jeopardizes and impairs the Unit's ability to respond to these requests and creates a condition of diminished accuracy. This insufficiency leads to officer safety issues and impedes other agencies in the performance of their duties. Additionally, filling the position will allow the Department's RIB to fulfill its State and Federal law mandated functions, as well as to better serve the needs of the many communities seeking assistance from the Department.

Due to lay offs at the Superior Court, Ms. Quintana's financial situation made retirement a necessity, even though she desired to continue working. Ms. Quintana is currently working for a temporary agency and has expressed her desire to return to government work, specifically with the Department. She has applied and tested for numerous positions, including Records System Clerk I. The Department's RIB interviewed Ms. Quintana and offered her the position, contingent upon her successful completion of the Department's background process, and subsequent approvals from the Board of Supervisors, the County's Chief Executive Officer, and the LACERA Retirement Board. Ms. Quintana is very eager to return to government service.

Implementation of Strategic Plan Goals

This recommendation is consistent with the County's Strategic Plan, Goal 1, Operational Effectiveness/Fiscal Sustainability, maximizing public services by reinstating experienced former employees, and promoting sound and prudent fiscal practices by reducing overtime and training costs, thereby supporting and enhancing our public safety mission.

FISCAL IMPACT/FINANCING

Funding for this position exists within the Department's Salary and Employee Benefits Fund.

During Ms. Quintana's initial employment with the Superior Court, she was enrolled in LACERA Plan D (General). Upon the approval to return to active service, her current retirement allowance will be suspended effective one day prior to her new hire date. She will be enrolled in Plan G (General) and will begin accruing service credit and will be required to pay monthly contributions under the plan's guidelines. This service credit will not be added to the previous plan or used to recalculate the previous retirement benefits already earned and paid.

When Ms. Quintana elects to retire from her second period of active service, LACERA will calculate the retirement benefit allowance for the second period of active service based solely on the retirement plan in effect and the service credit accumulated during this time frame. LACERA will reactivate the original retirement benefit allowance suspended at the time of her return to active service. Although LACERA does not recalculate the retirement allowance, Ms. Quintana will be credited with any Cost-of-Living Adjustment increases that the original retirement allowance would have accumulated. The two separate retirement benefit allowances will be added together and paid out in a single monthly payment.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

LACERA is governed by the Los Angeles County Employees Retirement Law of 1937. This action is in compliance with the County's Government Code Sections 31680.4 and 31680.5, pertaining to retired members returning to active membership. Prior to 1991, retired County employees were prohibited from returning to County employment, except temporarily and under limited circumstances. Government Code Section 31680.4 now permits retirees to return to work on a permanent basis. The Board's adoption of the policy on July 6, 1993, made that Government Code Section cooperative.

Occupational Health Programs has advised that the Records System Clerk I position does not qualify for a County provided medical examination. Ms. Quintana was medically evaluated by her primary physician. Ms. Quintana's primary physician has reviewed the class specifications for the position and determined that Ms. Quintana is capable to perform the duties of the position.

The Board letter has been reviewed and approved as to form by County Counsel.

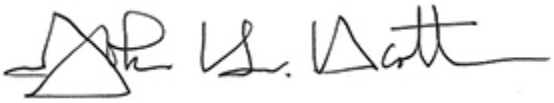
IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will have no negative impact on current services.

CONCLUSION

Upon Board approval, please return two adopted copies of this letter to the Department's Administrative and Training Division.

Sincerely,



JOHN L. SCOTT
Sheriff

JLS:JAG:lmr