



Kurt E. Floren

Agricultural Commissioner
Director of Weights and Measures

COUNTY OF LOS ANGELES

*Department of
Agricultural Commissioner/
Weights and Measures*

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Richard K. Iizuka
Chief Deputy

December 02, 2014

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

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

18 December 2, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**REQUEST TO AUTHORIZE THE COUNTY OF LOS ANGELES DEPARTMENT OF
AGRICULTURAL COMMISSIONER/WEIGHTS AND MEASURES TO RE-EMPLOY A RETIRED
COUNTY EMPLOYEE TO A FULL-TIME PERMANENT POSITION ON AN INDEFINITE BASIS AS
AN AGRICULTURAL INSPECTOR AID
(ALL DISTRICTS – 3 VOTES)**

SUBJECT

The Department of Agricultural Commissioner/Weights and Measures (ACWM) is requesting that the Board approve a Los Angeles Employee Retirement Association (LACERA) member's return to work, thereby suspending the member's retirement benefits, and returning that member to active full-time permanent employment.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the ACWM to re-employ retired LACERA member, Cynthia Weber, to full-time permanent status in compliance with the Los Angeles County Employees Retirement Law of 1937. Subject to your Board's approval and the subsequent approval of LACERA's Board of Retirement, the member's re-employment date will be retroactive to January 8, 2014, the date Ms. Weber was appointed to a full time permanent position.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Retired former Los Angeles County employee, Ms. Weber, employee number 602086, retired from active County service on March 31, 2003. Consistent with the Board's Policy, adopted July 6, 1993, which allows the re-employment of retired County employees on an indefinite basis, the Department is requesting your Board's approval for the re-employment of Ms. Weber into active County service

as an Agricultural Inspector Aid; item #0004A. Salary schedule 61E, at the rate of \$2,268.664 per month.

Upon her return to County employment, Ms. Weber's retirement allowance will be cancelled until termination of her re-employment.

Ms. Weber's wide range of knowledge and experience in the Fruit Fly Detection program makes her a valuable asset to the Department. Ms. Weber provides services to the community with professionalism and integrity when servicing the fruit fly traps.

Implementation of Strategic Plan Goals

This requested action supports the County's Strategic Plan Goal 1: Organizational Effectiveness/Fiscal Sustainability - to fulfill contractual obligation to place and monitor insect traps used to detect the early presence of serious agricultural pests.

Service is enhanced to the County's residents through locally administered, efficient operations as part of a statewide program to prevent the establishment and/or spread of harmful exotic insect pests and diseases before they create economic harm to the public.

FISCAL IMPACT/FINANCING

Funding for this position is 100 % revenue offset, recoverable from a State contract.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

LACERA is governed by the County's Employees Retirement Law of 1937. This action is in compliance with the Government Code Sections 31680.7, 31680.4, and 31680.5, pertaining to retired members returned 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 31680.7 now permits retirees to return to work on a permanent basis. The Board's adoption of the policy on July 6, 1993, made the Government Code Section operative.

Ms. Weber's recent medical evaluation states that she was found suitable for employment and is able to fully perform the job duties as an Agricultural Inspector Aid for the County.

Ms. Weber was appointed a full time permanent position on January 8, 2014. Prior to this, she had performed work for the County at various times as a full time temporary Agricultural Inspector Aid. However, ACWM was unaware that Ms. Weber was a previously retired County employee until she notified ACWM Human Resources (HR) of this fact on February 5, 2014.

ACWM HR staff referred this matter to LACERA on February 10, 2014, but did not received a definitive answer from LACERA regarding Ms. Weber's prior County employment until May 22, 2014.

Ms. Weber had also notified ACWM that she was unsure about returning to County employment because she had been unaware that doing so would affect her pre-existing retirement benefits. On June 16, 2014, Ms. Weber confirmed in writing that she wished to be reemployed as a permanent County employee. At that time, ACWM initiated this process to request permission of the Board to reemploy Ms. Weber.

If ACWM had known earlier that Ms. Weber was receiving LACERA benefits or that she had previously been employed as a permanent County employee, ACWM would have investigated this matter further before offering full time County employment to Ms. Weber. In addition, ACWM would have requested permission from the Board before appointing Ms. Weber to a full time permanent 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

Because of her knowledge and experience, Ms. Weber will be an invaluable asset to the Department and the County. Upon approval by the Board, please return one adopted copy of this letter to the Department for further processing.

Respectfully submitted,



KURT E. FLOREN

Agricultural Commissioner, Director of Weights
and Measures

KEF:RKI:AA:

LLS:bg

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Deputy Chief Executive Officer