



RICARDO D. GARCÍA
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Justine M. Esack
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May 21, 2024

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

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

100 May 21, 2024

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

**AUTHORIZE THE PUBLIC DEFENDER TO EMPLOY A RETIRED
COUNTY EMPLOYEE ON A TEMPORARY BASIS
AND GRANT AN EXCEPTION TO THE
180-DAY WAITING PERIOD REQUIRED UNDER THE
CALIFORNIA PUBLIC EMPLOYEES' PENSION REFORM ACT**

**(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Defender requests the Board's approval to grant an exception to the 180-day waiting period required under the California Public Employees' Pension Reform Act of 2013 before employing, without reinstatement, a retired County employee as a 120-day rehired retiree. Public Defender affirms that the retiree is highly skilled and that the work she will be performing is critical.

IT IS RECOMMENDED THAT THE BOARD:

1. Waive the 180-day break in service requirement and employ, without reinstatement, retired County employee Janet Araujo to a 120-day temporary assignment as a Deputy Public Defender II within the Department's Alhambra Branch Office.
2. Approve the request for Janet Araujo to receive compensation at the rate of \$69.14 per hour, for up to 960 work hours within a fiscal year, upon the Board's approval of her temporary employment as a Deputy Public Defender II.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The request to waive the 180-day break in service requirement is intended to provide the Department with additional staffing support to help address operational gaps due to higher-than-average attorney attrition and vacancies, while the Department continues working toward hiring and training more permanent attorney staff.

Public Defender has implemented various mitigation measures to address attorney recruitment, attrition, and workload challenges. For example, the Department has streamlined recruitment and hiring to backfill vacant attorney positions. Whereas historically, the Department only recruited and hired attorneys at the entry-level, it has now expanded its recruitment and hiring to include more experienced attorneys at the Deputy Public Defender (DPD) II level. The Department has also expanded its attorney law clerk program, which has served as an effective hiring pipeline into entry-level attorney positions.

Public Defender has also collaborated with the Los Angeles County Employees Retirement Association to recruit and enlist retired public defender attorneys to bolster staffing levels. While effective, additional measures are still required to address attorney attrition and counter the current labor market challenges, including recruiting qualified job applicants.

The Department intends to assign Ms. Araujo to the Alhambra Branch Office. The Alhambra Branch Office supports the Alhambra courthouse, which is comprised of three felony courts. The Alhambra Branch Office, which is typically staffed by five attorneys, is currently experiencing a staffing deficit, due to two attorney retirements in March 2024. The retired attorneys, one of whom is Ms. Araujo, worked as a DPD IVs and handled the branch's most challenging and complex cases. Ms. Araujo's return as a 120-day rehired retiree will provide essential supplemental coverage and an opportunity to transmit invaluable knowledge and skills to new employees.

Implementation of Strategic Plan Goals

Approval of the recommended actions is consistent with the County's Strategic Plan North Star 1, Make Investments that Transform Lives and North Star 2, Foster Vibrant and Resilient Communities, and aligned with the Board's Care First, Jails Last, and Homeless Initiative priorities.

FISCAL IMPACT/FINANCING

The Department will utilize a current budgeted vacancy to fund the requested rehired retiree.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The recommended action is consistent with the Public Employees' Pension Reform Act of 2013, which allows a person who retires from the County to serve without reinstatement from retirement or loss or interruption of benefits provided by the retirement system before a period of 180 days following the date of retirement, if the Board certifies the position is critically needed and the retired person has the skills required to perform work of limited duration.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will provide the Department with additional staffing support to help

The Honorable Board of Supervisors

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address operational gaps due to higher-than-average attorney attrition and vacancies.

Respectfully submitted,



RICARDO D. GARCIA

Public Defender

RDG:JT:BD:rc

c: Executive Office, Board of Supervisors
Chief Executive Officer
County Counsel
Auditor-Controller
Human Resources
Los Angeles County Employees Retirement
Association