

COUNTY OF KERN
RETIRED/REHIRED EMPLOYEES—ACKNOWLEDGMENT OF EMPLOYMENT CONDITIONS

Authorization for “Retired/Rehired” Employees:

The County Employees Retirement Law of 1937 authorizes a county to employ, without reinstatement from retirement, a retired member in a position requiring special skills or knowledge. The California Public Employees’ Pension Reform Act of 2013 requires additional criteria to be met, which are prescribed within this acknowledgment. Board of Supervisors approval is required to hire a retired County employee. The Board letter is to identify the position, and the proposed hiring salary range and step, and provide the justification of the special skills or knowledge possessed by the individual and needed by the department. Employment is limited to 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment. The 12-month period of employment should run concurrently with the County fiscal year, from July 1st to June 30th of the following calendar year. All rehired retirees are required to be off County payroll no later than June 30 at the end of every fiscal year. The employee’s retirement status remains intact and retirement contributions are not taken.

Limitation on Employment if Unemployment Insurance Compensation Has Been Collected By Retiree:

AB 775 (Chapter 57, Statutes of 2007) provides that the authorizations described above are inapplicable to a retired member who is employed by an employer under the system and who, within 12 months prior to that employment, received unemployment insurance compensation following the termination of an appointment with the same employer. The bill requires a retired person who accepts an appointment after receiving unemployment insurance compensation, as specified, to terminate that employment on the last day of the current pay period and would prohibit reappointment for a period of 12 months.

Post Retirement Employment and Requirement for Bona Fide Separation and Certification of No Reemployment Pre-arrangement:

In no case is a retired person eligible for appointment if he or she received any unemployment insurance compensation arising out of prior employment during the 12-month period prior to an appointment. Further, employees must certify that a prearrangement for rehire with the County was not made. A retired person is not eligible to be employed for a period of 180 days following the date of retirement unless he or she meets one of the following criteria:

- The employer certifies that the appointment is necessary to fill a critically needed position before the 180 days has passed **and** the appointment has been approved by the Board of Supervisors in a public meeting and not on a consent calendar.
- If the retiree is a public safety officer or firefighter the 180 day “sit-out” period does not apply.
- A retiree who accepted a retirement incentive (golden handshake) is subject to the 180 day requirement, without exception.

Acknowledgments:

By accepting re-employment with Kern County after retirement, I certify under penalty of perjury that:

- I have not collected unemployment insurance compensation within the prior 12 months.
- I understand that if I draw any unemployment insurance compensation following termination of employment with the County within 12 months prior to rehire with the County, I am not eligible to be re-hired by the County for a minimum period of 12 months.

EXHIBIT I

- If I collect any unemployment insurance compensation, while employed with the County or following termination of employment with the County, I must report this compensation to the County.
- I understand that the County regularly accesses records at the California Employment Development Department regarding Unemployment Compensation paid to employees and former employees of the County.
- I understand that if I accept an appointment after receiving unemployment, I will be terminated on the last day of the current pay period and will not be eligible for reappointment for 12 months.
- I understand that while employed as a retired extra help employee, I cannot withdraw funds from my deferred compensation account unless I am 70.5 years of age or older.
- I certify that no pre-arrangement was made for reemployment.

Name (Print): _____ Date: _____

Employee Signature: _____ Dept: _____

Employee ID #: _____

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