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San Bernardino County Employees'
Retirement Association

348 W. Hospitality Lane, Suite 100
San Bernardino, CA 92408
P: 909.885.7980

September 11, 2024

SCAQMD
Attn: A. John Olvera
21865 Copley Drive
Diamond Bar, CA 91765
JOlvera@AQMD.gov

Subject: Returning Retiree Certifications

Dear Mr. Olvera,

SBCERA is in receipt of your requests to approve Messrs. Ketchum and Minassian as returning retirees. It has been determined that both retirees are not independent contractors and thus, subject to return-to-work requirements set forth under the California state law and SBCERA Board policies. The respective return-to-work as a retiree for both will commence July 1, 2024 through June 30, 2025 for 960 hours per fiscal year. At the end of the re-employment, the retirees are required to cease working unless the employer or retiree request to extend the re-employment and it is approved by the SBCERA Board.

South Coast Air Quality Management District (SCAQMD), as an SBCERA employer, must comply with the requirements set forth in Government Code section 7522.56 of the Public Employees' Pension Reform Act (PEPRA), sections 31680.6 and 31680.7 of the County Employees Retirement Law of 1937 (CERL), and SBCERA's Board Policy No. 032. In the event of non-compliance with any of the requirements set forth in statute or Board policy, will be considered a violation subject to, but not limited to, reinstatement to active service, repayment of benefits paid during the period of violation, and employer and employee contributions.

Please be aware that returning retirees must only be compensated the amount communicated to SBCERA on the Returning Retiree Certification form which must fall within the minimum and maximum hourly salary for any other person employed in a position performing comparable duties. Such compensation is limited to the base pay only and any additional compensation is not allowable. Examples of additional compensation include, but is not limited to, fringe benefits such as health insurance, the ability to contribute to any employer-sponsored retirement plans, and the accrual of leave balances (vacation, sick, etc.). It is critical that SCAQMD track the hours worked for the fiscal year and report the hours to SBCERA at the end of the fiscal year on June 30, 2025.

Any requests to further extensions of time are subject to SBCERA Board approval in a public Board meeting.

Please let me know if you have any questions about this or would like to discuss further.

Sincerely,



Christina Cintron
Chief of Member Services
SBCERA

Certification:

I, the undersigned, certify that I have read, understand and will comply with the standards outlined in this letter. I acknowledge receipt of SBCERA Board Policy No. 032 and will adhere to the requirements set forth therein, including becoming familiar with the requirements set forth Government Code section 7522.56 governing the return-to-work of the retirees. Additionally, I understand and accept that there are consequences to any violation of SBCERA Board Policy No. 032 and Government Code section 7522.56, including, but not limited to reinstatement to active service, repayment of benefits paid during the period of violation, and employer and employee contributions.



A. John Oliver

Name

9-12-24

Date

Enclosure: SBCERA Board Policy No. 032

cc: File

Raquel Arciniega, Human Resources Manager
Mary Courtney, Human Resources Analyst
Mae Mendoza, Sr. Administrative Assistant