

Retirement Benefits.

On April 16, 2024, Applicant Suzanna Martinez was served with the Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Recommended Decision, dated March 8, 2024, and was given 10 days to file objections.

On April 22, 2024, SBCERA sent a letter to the Hearing Officer to request that a revised recommendation be provided to specifically address the Effective Date of the Disability Retirement application, as the original findings was silent on the subject.

On May 9, 2024, the Hearing Officer submitted his Amendment to Proposed Findings of Fact and Conclusions of Law and Recommended Decision to address the effective date.

On May 17, 2024, Applicant was served with the Hearing Officer's Amendment to Proposed Findings dated May 9, 2024, and was given 10 days to file objections. Applicant did not file any objections to the Hearing Officer's Recommendations.

Other Options Available if Staff's Recommendation is Not Adopted:

Although staff recommends approving the hearing officer's findings, pursuant to Government Code Section 31534, upon receiving the final proposed findings and recommended decision of the referee, the board may, in the alternative:

- (a) Require a transcript or summary of all the testimony, plus all other evidence received by the referee. Upon the receipt thereof the board shall take such action as in its opinion as indicated by such evidence, or
- (b) Refer the matter back with or without instructions to the referee for further proceedings, or
- (c) Set the matter for hearing before itself. At such a hearing, the board shall hear and decide the matter as if it had not been referred to the referee.

Attorney - None.

STAFF CONTACT:

Barbara Hannah
David Lantzer

ATTACHMENTS:

- Exhibit A: Demographic Information
- Exhibit B: Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Recommended Decision
- Exhibit C: SBCERA Request for Amendment to Address Effective Date
- Exhibit D: Hearing Officer's Amendment to Proposed Findings of Fact, Conclusions of Law, and Recommended Decision
- Exhibit E: Request for Administrative Review of Initial Hearing
- Exhibit F: Applicant's Statement of Facts and Physician's Report
- Exhibit G: Department Statement of Facts
- Exhibit H: Job Description, Physical Requirements Questionnaire