



SBCERA Board of Retirement granted the extension.

During Ms. Harmsen's initial period of re-employment, one of her duties was training and mentoring new leaders within WDD, and on December 3, 2018, WDD hired an Assistant Director to provide administrative oversight of the department. However, the Assistant Director resigned effective February 21, 2020 and two administrative supervisors have resigned within the last month. The departure of these key employees has significantly impacted the leadership of the department and the success of Workforce Innovation and Opportunity Act (WIOA) mandated projects and funding. Exhibit B provides additional background regarding the difficulties in recruiting an experienced workforce development leader, current recruitment efforts, and the subsequent need to employ Ms. Harmsen for an additional one year period.

Pursuant to Government Code section 7522.56, 317680.6, and 31680.7 and SBCERA Benefits Policy No. 032, upon receiving and reviewing the participating employer and retiree's justification to extend the retiree's employment beyond the 18-month limit for presumed compliance with the statutory "limited duration" standard, the Board must, based on the facts and evidence presented:

1. Find one of the following:
  - a. That extreme necessity exists to continue the retiree's employment beyond the 18-month limit; or
  - b. In the alternative, that the extension of employment is unavoidable and circumstances exist that could not have been anticipated; or
  - c. That there is neither an extreme necessity, nor circumstances that are unavoidable or could not have been anticipated, and thus that the standards of Policy No. 032 are not met.
2. Based on the finding above in part (1) above, the Board:
  - a. Approves the request for extension of employment of retiree beyond the 18-month limit. Extension of the employment commences on the date indicated on this certification and will terminate on March 1, 2021; or
  - b. Denies the request of extension of employment of retiree beyond the 18-month limit. In a case of any violation of the law as implemented through Policy No. 032, including continued employment beyond the 18-month limit or without prior approval, the Board directs staff to suspend the retiree's retirement benefit and reinstate the retiree to active service. Additionally, staff is directed to commence collection of any retirement benefits received during any unlawful re-employment, as well as contributions from employer and employee.

As noted above, staff recommends that the Board approve this request for the extension of employment of Ms. Harmsen.

**BUDGET IMPACT:**

None.

**STRATEGIC PLANNING GOAL/OBJECTIVE:**

Operational Excellence & Efficiency

**STAFF CONTACT:**

Colin Bishop

**ATTACHMENTS:**

Exhibit A: Board Summary Worksheet

Exhibit B: Certification Forms and Attachments