



# San Bernardino County Employees' Retirement Assoc.

## Staff Report Details (With Text)

**File #:** 19-776 **Name:**

**Type:** Consent Item

**File created:** 1/24/2020 **In control:** BOARD OF RETIREMENT

**On agenda:** 2/6/2020 **Final action:**

**Title:** Approve and adopt the proposed findings and the recommended decision of the referee in the matter of the disability retirement application of Yvonne Turner-Love.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date | Ver. | Action By | Action | Result |
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**FROM:** Barbara Hannah, Chief Counsel

**SUBJECT:** Disability Retirement Application of Yvonne Turner-Love

### RECOMMENDATION:

Approve and adopt the proposed findings and the recommended decision of the referee in the matter of the disability retirement application of Yvonne Turner-Love.

### Requested Benefit:

1. Eligibility to Apply for a Service-Connected Disability Retirement

### Staff Recommendation:

Pursuant to Government Code Section 31534, upon receiving the final proposed findings and recommended decision of the referee, the board may:

- (a) Approve and adopt the proposed findings and the recommendations of the referee, or
- (b) 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
- (c) Refer the matter back with or without instructions to the referee for further proceedings, or
- (d) Set the matter for hearing before itself. At such hearing, the board shall hear and decide the matter as if it had not been referred to the referee.

### BACKGROUND:

At the May 3, 2018 meeting of the Board of Retirement, the Board found that Yvonne Turner-Love is not eligible to apply for a disability retirement benefit and rejected the application for processing because she was terminated from employment for reasons unrelated to any disability and prior to any disability claim arising.

On May 21, 2018, member requested to proceed to formal hearing

Attorney - Ellen R. Serbin, Esq. - Perona, Langer, Beck, Serbin & Harrison

**STAFF CONTACT:**

David Lantzer

Barbara Hannah

**ATTACHMENTS:**

Exhibit A: Demographic Information

Exhibit B: Hearing Officer's Summary of Evidence, Proposed Findings of Fact and Recommended Decision

Exhibit C: Applicant's Objections to Hearing Officer's Findings

Exhibit D: Respondent's Response to Objections to Hearing Officers Findings

Exhibit E: Hearing Officer's Response to Objections

Exhibit F: Request for Formal Hearing

Exhibit G: Applicant's Statement of Facts and Physician's Report

Exhibit H: Department Statement of Facts

Exhibit I: Job Description