



San Bernardino County Employees' Retirement Assoc.

Staff Report Details (With Text)

File #: 19-878.1 **Name:**

Type: Consent Item

File created: 10/27/2020 **In control:** BOARD OF RETIREMENT

On agenda: 11/5/2020 **Final action:**

Title: Approve and adopt the proposed findings and the recommendations of the referee regarding the Supplemental Retirement Allowance of Anthony Perez - County of San Bernardino - Public Works.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

FROM: Barbara Hannah, Chief Counsel

SUBJECT: Disability Retirement Application of Anthony Perez

RECOMMENDATION:

Approve and adopt the proposed findings and the recommendations of the referee regarding the Supplemental Retirement Allowance of Anthony Perez - County of San Bernardino - Public Works.

Requested Benefit:

1. Supplemental Retirement Allowance

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 7, 2020 meeting of the Board of Retirement, the Board granted a Service-Connected Disability Retirement. However, the Board determined the member was capable of gainful employment, therefore, he was denied the Supplemental Retirement Allowance.

The member requested Expedited Administrative Review of the Board of Retirement decision on May 30, 2020.

Attorney - None

STAFF CONTACT:

Barbara Hannah

Dave Lantzer

ATTACHMENTS:

- Exhibit A: Demographic Information
- Exhibit B: Hearing Officer's Findings and Recommendation
- Exhibit C: Request for Expedited Administrative Review
- Exhibit D: Applicant's Statement of Facts and Physician's Report
- Exhibit E: Department's Statement of Facts
- Exhibit F: Job Description, Physical Requirements