



BOARD OF RETIREMENT

Staff Report

File #: 19-1359

Agenda Date: 4/1/2021

Agenda #: 6.

FROM: Colin Bishop, Chief of Member Services

SUBJECT: SBCERA Resolution No. 2021-2 -Amended Resolution regarding Returning Retiree

RECOMMENDATION:

Adopt Amended SBCERA Resolution No. 2021-2 regarding returning retirees in response to the COVID-19 emergency orders.

BACKGROUND:

At its meeting on April 9, 2020, the SBCERA Board of Retirement approved Resolution No. 2020-03, which suspended portions of SBCERA's Retiree Returning to work Policy for certain SBCERA returning retired persons deemed essential during the COVID-19 health crisis. This was done to provide clarity for SBCERA returning retirees in response to several Executive Orders signed by Governor Gavin Newsom, which covered retirees returning to work in relation to the statewide COVID-19 state of emergency.

Currently, there is a State Senate Resolution under consideration (Senate Concurrent Resolution 5, or "SCR 5") which could end California's state of emergency declaration. If passed by both houses, it would mean that SBCERA returning retirees working under an existing COVID-19 appointment will no longer be able to work. While the end of the state of emergency may not be imminent, the eventual end of the state of emergency may require certain SBCERA returning retirees working under COVID-19 emergency to re-apply for authorization as an SBCERA returning retiree. Based on the end-date of the state of emergency and the timing of the subsequent SBCERA Board of Retirement meeting, some returning retirees could face a delay in employment should their employer wish to retain them.

The proposed language change to SBCERA Resolution No. 2021-2 would help returning retirees and SBCERA employers avoid a potential break in employment for those retirees working under expiring COVID-19 emergency authorizations. In the event that there is an intervening period between the lifted state of emergency and the next Board meeting, the retired person will be able to work under his or her expiring COVID-19 authorization until the Board meeting.

In the meantime, SBCERA's Chief Counsel will continue to track any updates to SCR 5 in the monthly legislation report. We will update the Board as soon as we have word that the emergency declaration is ending, and bring any returning retirees with expiring appointments to the next available Board meeting.

BUDGET IMPACT:

None.

STRATEGIC PLANNING GOAL/OBJECTIVE:

Operational Excellence & Efficiency

STAFF CONTACT:

Colin Bishop

Barbara Hannah

ATTACHMENTS:

Exhibit A: Redline -SBCERA Resolution No. 2021-2- COVID-19 Emergency Orders and Staff
Actions in Response