



## Legislation Details (With Text)

<b>File #:</b>	21-0290	<b>Version:</b>	1	<b>Name:</b>	HR - 180-Day Waiting period - Stephanie Kemp
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	3/15/2021	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	4/6/2021	<b>Final action:</b>		<b>Final action:</b>	4/6/2021
<b>Title:</b>	Recommendation to adopt resolution approving an exception to the 180-day waiting period for Public Agencies pursuant to Government Code 7522.56 and 21224, to hire Stephanie Kemp for a limited duration to work in the Human Resources Department. (Citywide)				
<b>Sponsors:</b>	Human Resources				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 040621-R-28sr&att.pdf, 2. RES-21-0033.pdf				

Date	Ver.	Action By	Action	Result
4/6/2021	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt resolution approving an exception to the 180-day waiting period for Public Agencies pursuant to Government Code 7522.56 and 21224, to hire Stephanie Kemp for a limited duration to work in the Human Resources Department. (Citywide)

On January 1, 2013, the Public Employees' Pension Reform Act added Section 7522.56 and 21224 to the Government Code, which set forth post-retirement employment requirements applicable to all retirees who are employed by CalPERS employers on or after January 1, 2013. This change added the requirement that all retirees must wait 180 days after their retirement date before they are eligible to begin post-retirement employment with a CalPERS agency. An exception to the 180-day wait period can be made if a public agency certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed. The appointment must be approved by the governing body of the employer in a public meeting and may not be placed on a consent calendar.

The Human Resources Department requests City Council approval to hire Stephanie Kemp, former Special Projects Officer in Human Resources, as a Retired Annuitant-Special Projects NC, effective April 12, 2021, for a limited duration to provide technical and administrative support for the City's legacy Human Resources and Payroll Management system, including the review of personnel transactions, providing technical security oversight, and responding to errors in the system. Ms. Kemp's support is needed until the City implements the new Tyler Munis HR/Payroll system, allowing current staff to focus on critical project milestones. Ms. Kemp's technical expertise and historical knowledge will also reduce project risks and ensure streamlined continuity with current personnel and payroll transactions. Ms. Kemp has over 29 years of service with the City and 25 of those years as the City's Human Resources system administrator.

Since Ms. Kemp's proposed start date is less than the required 180-day waiting period subsequent to her retirement on March 26, 2021, City Council approval to hire Ms. Kemp is required. The approved rate of pay for the limited duration is \$55.272 per hour. This amount represents the compensation she received upon retirement and is consistent with the compensation of other employees performing comparable duties and will be funded by the Human Resources Department.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on March 16, 2021 and by Revenue Management Officer Geraldine Alejo on March 18, 2021.

City Council action is requested on April 6, 2021, to ensure the continued support of the Human Resources Department's participation in the Tyler Munis project.

The total estimated annual cost is will not exceed \$57,120. The cost is based on 960 hours over the CalPERS fiscal year ending June 30<sup>th</sup>, at a salary rate of \$55.272 per hour plus Medicare and FICA. Actual costs will be based on hours worked and are not expected to exceed 960 hours in FY 21 covering the period from April 12, 2021 to September 30, 2021. These costs will be funded within the existing appropriations in the Employee Benefits Fund Group in the Human Resources Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

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FRED VERDUGO, ACTING DIRECTOR  
HUMAN RESOURCES DIRECTOR

APPROVED:

THOMAS B. MODICA  
CITY MANAGER