

# LIVE VIRTUAL BOARD MEETING



TO VIEW VIA WEB



## TO PROVIDE PUBLIC COMMENT

You may submit a request to speak during Public Comment or provide a written comment by emailing [PublicComment@lacera.com](mailto:PublicComment@lacera.com). If you are requesting to speak, please include your contact information, agenda item, and meeting date in your request.

**Attention:** Public comment requests must be submitted via email to [PublicComment@lacera.com](mailto:PublicComment@lacera.com) no later than 5:00 p.m. the day before the scheduled meeting.

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION  
300 N. LAKE AVENUE, SUITE 650, PASADENA, CA

A REGULAR MEETING OF THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., WEDNESDAY, NOVEMBER 4, 2020

This meeting will be conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

Any person may view the meeting online at  
[https://members.lacera.com/lmpublic/live\\_stream.xhtml](https://members.lacera.com/lmpublic/live_stream.xhtml)

*The Board may take action on any item on the agenda,  
and agenda items may be taken out of order.*

I. CALL TO ORDER

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of October 7, 2020

B. Approval of the Minutes of the Regular Meeting of October 15, 2020

III. PUBLIC COMMENT

(\*You may submit written public comments by email to [PublicComment@lacera.com](mailto:PublicComment@lacera.com). Please include the agenda number and meeting date in your correspondence. Correspondence will be made part of the official record of the meeting. Please submit your written public comments or documentation as soon as possible and up to the close of the meeting.

You may also request to address the Boards. A request to speak must be submitted via email to [PublicComment@lacera.com](mailto:PublicComment@lacera.com) no later than 5:00 p.m. the day before the scheduled meeting. Please include your contact information, agenda item, and meeting date so that we may contact you with information and instructions as to how to access the Board meeting as a speaker.)

IV. OTHER COMMUNICATIONS

A. For Information

1. September 2020 All Stars

IV. OTHER COMMUNICATIONS

- A. For Information (Continued)
  - 2. Chief Executive Officer's Report  
(Memo dated October 26, 2020)

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

VI. CONSENT ITEMS

- A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated October 26, 2020)
- B. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board dismiss with prejudice Nariman Amjadi's appeal for a service-connected disability retirement. (Memo dated October 21, 2020)
- C. Recommendation as submitted by Thomas Walsh, Chair, Operations Oversight Committee: That the Board approve and adopt the Post Retirement Employment Policy. (Memo dated October 20, 2020)

VII. EXCLUDED CONSENT ITEMS

VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Les Robbins, Chair, Insurance, Benefits and Legislative Committee: That the Board direct its voting delegate to vote YES on sponsorship by the State Association of County Retirement Systems (SACRS) of "COVID-19 Disability Retirement Presumption" for the SACRS 2021 legislative platform. (Memo dated October 15, 2020)  
(Supplemental Memo dated October 23, 2020)

IX. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated October 27, 2020)

IX. REPORTS (Continued)

- B. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Semi-Annual Interest Crediting for Reserves as of June 30, 2020 (AUDITED). (Memo dated October 22, 2020)
- C. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the Monthly Education and Travel Report for September 2020. (Public Memo dated October 23, 2020) (Confidential Memo dated October 23, 2020 – Includes Anticipated Travel)
- D. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the October 2020 Fiduciary Counsel Contact and Billing Report. (Memo dated October 26, 2020) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

X. ITEMS FOR STAFF REVIEW

XI. GOOD OF THE ORDER  
(For information purposes only)

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability
- B. Disability Retirement Appeals
- C. Staff Recommendations
  - 1. Recommendation as submitted by Eugenia W. Der, Senior Staff Counsel: That the Board, pursuant to Government Code section 31541.1, (1) Find that Marcos Zamora delayed filing his application for disability retirement because he was unable to ascertain the permanency of his incapacity; (2) that his application is deemed filed on the day after the last day of regular compensation (retroactive) in accordance with Government Code section 31724; and (3) that he is entitled to the option of an earlier effective date. (Memo dated October 22, 2020)
  - 2. Recommendation as submitted by JJ Popowich, Assistant Executive Officer: That the Board approve the service provider invoices for Winet Patrick Gayer Creighton & Hanes. (Memo dated October 19, 2020)

XII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

C. Staff Recommendations

3. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the 2020 Quarterly Reports of Paid Invoices – 3<sup>rd</sup> Quarter. (Memo dated October 19, 2020)

XIII. EXECUTIVE SESSION

A. Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation (Pursuant to Paragraph (2) of Subdivision (d) of California Government Code Section 54956.9)

1. Administrative Appeal of Glen Williams

XIV. ADJOURNMENT

***Documents subject to public disclosure that relate to an agenda item for an open session of the Board of Retirement that are distributed to members of the Board of Retirement less than 72 hours prior to the meeting will be available for public inspection at the time they are distributed to a majority of the Board of Retirement Members at LACERA's offices at 300 N. Lake Avenue, Suite 820, Pasadena, CA 91101, during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.***

***\*Requests for reasonable modification or accommodation of the telephone public access and Public Comments procedures stated in this agenda from individuals with disabilities, consistent with the Americans with Disabilities Act of 1990, may call the Board Offices at (626) 564-6000, Ext. 4401/4402 from 8:30 a.m. to 5:00 p.m. Monday through Friday or email [PublicComment@lacera.com](mailto:PublicComment@lacera.com), but no later than 48 hours prior to the time the meeting is to commence.***

MINUTES OF THE REGULAR MEETING OF THE BOARD OF RETIREMENT

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

9:00 A.M., WEDNESDAY, OCTOBER 7, 2020

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Herman Santos, Chair

Vivian H. Gray, Vice Chair

JP Harris (Alternate Retired)

Elizabeth Ginsberg, Deputy

Shawn R. Kehoe

Wayne Moore

Ronald Okum

Les Robbins

Thomas Walsh

ABSENT: Keith Knox

William Pryor (Alternate Safety)

Gina Zapanta, Secretary

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Ted Granger, Interim Chief Financial Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

Barry Lew, Legislative Affairs Officer

Kathy Delino, Interim Manager, Systems Division

Celso Templo, Information Technology Manager

James Beasley, Supervising Administrative Assistant II

Kaercher Campbell & Associates Insurance Brokerage

Jolene Williams

Penni Campbell

I. CALL TO ORDER

The meeting was called to order by Mr. Santos at 9:00 a.m. in the Board Room of Gateway Plaza.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of September 2, 2020

Mr. Okum made a motion, Mr. Robbins seconded, to approve the minutes of the regular meeting of September 2, 2020. The motion passed (roll call) with Messrs. Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Ginsberg voting yes.

III. OTHER COMMUNICATIONS

A. For Information

1. August 2020 All Stars

Mr. Popowich announced the eight winners for the month of August: Alisa Gavaller, Julia Ray, Kelly Puga, and Clarence Malone for the Employee Recognition Program. Louis Gittens was the winners of LACERA's RideShare Program and Indee Brooke was the Web

### III. OTHER COMMUNICATIONS

#### A. For Information

##### 1. August 2020 All Stars (Continued)

Watcher winner.

##### 2. Chief Executive Officer's Report (Memo dated September 22, 2020)

Mr. Kreimann provided an update regarding his 100-Day report, the Member Services Center options for members, and an update to the Chief Operating Officer and Assistant Executive Officer positions.

### IV. PUBLIC COMMENT

There were no requests from the public to speak.

### V. CONSENT ITEMS

Ms. Gray made a motion, Mr. Santos seconded, to approve the following items. The motion passed (roll call) with Messrs. Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Ginsberg voting yes.

#### A. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated September 28, 2020)

#### B. Recommendation as submitted by Thomas Walsh, Chair, Operations Oversight Committee: That the Board approve the purchase of Fiduciary Liability Insurance effective October 9, 2020 with Euclid/Hudson Insurance Company and Westchester Fire Insurance Company. (Memo dated September 28, 2020)

Mr. Beasley, Jolene Williams and Penni Campbell from Kaercher Campbell and Associates Insurance Brokerage were present to answer questions from the Board.



V. CONSENT ITEMS (Continued)

- C. Recommendation as submitted by Thomas Walsh, Chair, Operations Oversight Committee: That the Board adopt changes to the Board of Retirement Charter consistent with the recently adopted Audit Committee Charter with regard to appointment of the external financial auditor.  
(Memo dated September 29, 2020)

VI. NON-CONSENT ITEMS

- A. Recommendation as submitted by Trustee, Wayne Moore: That the Board approve the following:

1) Expand LACERA's outreach to Los Angeles County employee groups, organizations, other community-based organizations, and LACERA's business partners to help engage, educate, and provide equity in opportunity to local high school and college to learn about pension fund administration, asset management and career opportunities in those fields; and 2) Provide equity in opportunity to qualified firms and individuals with varied backgrounds to compete to provide goods and services in support of LACERA's fund administration and operations.  
(Memo dated August 30, 2020)

Mr. Moore provided a brief presentation regarding this item.

Mr. Herman made a motion, Ms. Gray seconded, to approve the recommendation with a report back to the Board in 60 days. The motion passed (roll call) with Messrs. Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Ginsberg voting yes.

VII. REPORTS

The following items were received and filed.

- A. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation.  
(Memo dated September 28, 2020)

Mr. Lew was present to answer questions from the Board.

VII. REPORTS (Continued)

- B. For Information Only as submitted by Ted Granger, Interim Chief Financial Officer, regarding the following reports:

Monthly Education and Travel Reports for August 2020

(Public Memo dated September 23, 2020)

(Confidential Memo dated September 23, 2020 – Includes Anticipated Travel)

Mr. Granger was present to answer questions from the Board.

- C. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the September 2020 Fiduciary Counsel Contact and Billing Report. (Privileged and Confidential Attorney-Client Communication/Attorney Work Product) (Memo dated September 29, 2020)

Mr. Rice was present to answer questions from the Board.

VIII. ITEMS FOR STAFF REVIEW

- IX. GOOD OF THE ORDER  
(For information purposes only)

Several members of the Board expressed their enthusiasm regarding the initiative of Item VI. A.

Mr. Robbins shared that he would like to have a future discussion regarding Survivors of LACERA members and their authority in voting in LACERA elections.

Chair Santos shared that he is very supportive and excited about the disability cases going digital.

X. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:15 a.m.

October 7, 2020

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GINA ZAPANTA, SECRETARY

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HERMAN SANTOS, CHAIR

MINUTES OF THE REGULAR MEETING OF THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

300 N. LAKE AVENUE, SUITE 810, PASADENA, CA

9:00 A.M., THURSDAY, OCTOBER 15, 2020

This meeting was conducted by the Board of Retirement by teleconference under the Governor's Executive Order No. N-29-20.

PRESENT: Herman Santos, Chair

Vivian H. Gray, Vice Chair

Gina Zapanta, Secretary (Joined the meeting at 9:10 a.m.)

Shawn R. Kehoe

Keith Knox

Wayne Moore

Ronald Okum

William Pryor (Alternate Safety)

Les Robbins

Thomas Walsh

ABSENT: JP Harris (Alternate Retired)

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

John Popowich, Assistant Executive Officer

Dr. Vito Campese, Medical Advisor

Steven P. Rice, Chief Counsel

STAFF ADVISORS AND PARTICIPANTS (Continued)

Francis J. Boyd, Senior Staff Counsel

Vincent Lim, Disability Litigation Manager

Allison E. Barrett, Senior Staff Counsel

Eugenia W. Der, Senior Staff Counsel

Jason E. Waller, Senior Staff Counsel

Ricki Contreras, Disability Retirement Services Manager

Tamara Caldwell, Disability Retirement Specialist Supervisor

Hernan Barrientos, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

I. CALL TO ORDER

The meeting was called to order by Mr. Santos at 9:00 a.m. in the Board Room of Gateway Plaza.

II. APPROVAL OF MINUTES

A. Approval of the Minutes of the Regular Meeting of September 10, 2020

Mr. Okum made a motion, Mr. Knox seconded, to approve the meeting minutes of September 10, 2020. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Kehoe, Santos, and Ms. Gray voting yes; and Mr. Robbins abstaining.

III. PUBLIC COMMENT

There were no requests from the public to speak.

IV. CHIEF EXECUTIVE OFFICER UPDATE

(For Information Purposes Only)

Mr. Kreimann provided an update to the Executive level recruitment process.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement

Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Okum, the Board of Retirement approved a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof. The motion passed (roll call) with Messrs. Knox, Walsh, Okum, Moore, Robbins, Kehoe, Santos, and Ms. Gray voting yes.

APPLICATION NO.

NAME

318 D\*

BILLY G. LOVELL, JR.

319D

JOHN E. CARLOS

320D

SCOTT L. MCCORMICK

321D\*\*

DAVID C. CHAMBERS

322D\*\*\*

SCOTT R. CHUPP

323D

RANDY G. NILES

324D\*

SEAN A. BOOG

\* Granted SCD Retroactive –Employer Cannot Accommodate

\*\* Granted SCD Retroactive

\*\*\* Granted SCD Salary Supplemental

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

| <u>APPLICATION NO.</u> | <u>NAME</u>        |
|------------------------|--------------------|
| 325D                   | PHILLIP PEREZ, JR. |
| 326D                   | LUIS G. NUNEZ      |
| 327D*                  | DAVID P. WESSOL    |
| 328D**                 | SAIRA MARADIAGA    |
| 329D                   | GLENN J. JORIAN    |
| 330D                   | JAMES R. GRADY     |
| 331D                   | JOHN A. HUERTA     |
| 332D                   | YOLANDA ARTEAGA    |
| 333D*                  | IVAN N. CHAVEZ     |
| 334D                   | DARYL S. PEACOCK   |
| 335D                   | WILLIAM H. ROBERT  |
| 336D                   | AARON J. BARTSCH   |

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards

Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Okum, the Board of Retirement made a motion to approve a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Pryor, Santos, and Ms. Gray voting yes.

APPLICATION NO.

NAME

1276B

COREY A. MAGDALIK

1277B\*

RUSSELL S. WEBER

1278B

GLEN M. STRATTON

1279B

JOHN C. MILLER

1280B

DANNY SILVA

1281B

JOSEPH T. GRAYSTON

1282B

RICHARD M. BURK

1283B\*

DANNY K. NOVAK

1284B\*

KENNETH A. WALTHER

1285B

JEFFREY M. SILVA

1286B

JOHN E. DAVIS

1287B\*

JOSE R. MEDRANO

1288B

STEVEN G. SCHEIDEMANTLE

\*Granted SCD – Retroactive



V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members

Service-Connected Disability Applications

On a motion by Mr. Knox, seconded by Ms. Gray, the Board of Retirement made a motion to approve a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, and Ms. Gray voting yes.

| <u>APPLICATION NO.</u> | <u>NAME</u>           |
|------------------------|-----------------------|
| 2126C*                 | JACQUELYN L. HALL     |
| 2127C                  | CHRISTOPHER J. WAGNER |
| 2128C*                 | DERNIECE FULLER       |
| 2129C*                 | ROSALYN M. COLEMAN    |
| 2130C**                | CAROL D. DAVIS        |
| 2131C*                 | FILOMENA R. SINOGAYA  |
| 2132C*                 | ROBERT L. MITCHELL    |
| 2133C*                 | CARL L. IHRIG         |
| 2134C*                 | MARISOL FIEDLER       |
| 2135C***               | DARRYL C. ROSS        |
| 2136C                  | VIOLETA M. GONZALEZ   |

\* Granted SCD – Employer Cannot Accommodate

\*\* Granted SCD Retroactive - Employer Cannot Accommodate

\*\*\* Granted SCD – Salary Supplemental

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)

Service-Connected Disability Applications

| <u>APPLICATION NO.</u> | <u>NAME</u>           |
|------------------------|-----------------------|
| 2137C                  | NANCY REYNA           |
| 2138C                  | TERRI BOURGEOIS       |
| 2139C*                 | STACEY L. SCANTLEBURY |

General Members (Ms. Zapanta joined the meeting at 9:10 a.m.)

Nonservice-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Ms. Gray, the Board of Retirement made a motion to approve a service-connected disability retirement for the following named employees who were found to be disabled for the performance of their duties and have met the burden of proof. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Zapanta and Ms. Gray voting yes.

| <u>APPLICATION NO.</u> | <u>NAME</u>            |
|------------------------|------------------------|
| 4396                   | MARILYN ELLISON-ECHOLS |

VI. CONSENT ITEMS

- A. Recommendation as submitted by Ricki Contreras, Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant Zaheer A. Uraizee.  
(Memo dated October 1, 2020)

Mr. Kehoe made a motion, Mr. Okum seconded, to approve the following Consent Items. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

VII. NON-CONSENT ITEMS

- A. Recommendation as submitted by J.P. Harris, Chair, Disability Procedures and Services Committee: That the Board approve Martin Schlusberg, M.D., Esq. – Board Certified Pulmonologist to the LACERA Panel of Physicians for the purpose of examining disability retirement applicants. (Memo dated October 5, 2020)

Ms. Gray made a motion, Mr. Knox seconded, to approve the following Consent Items. The motion passed (roll call) with Messrs. Knox, Okum, Walsh, Moore, Robbins, Kehoe, Santos, Ms. Gray and Ms. Zapanta voting yes.

VIII. REPORTS

- A. For Information Only as submitted by Ricki Contreras, Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated October 5, 2020)

Ms. Contreras was present to answer questions from the Board.

IX. ITEMS FOR STAFF REVIEW

There were no items to report.

- X. GOOD OF THE ORDER  
(For information purposes only)

There were no items during Good of the Order.

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

APPLICATION NO. & NAME

BOARD ACTION

317D – JOHN S. BENEDICT

Mr. Kehoe made a motion, Mr. Pryor seconded, to grant a retroactive service-connected disability retirement. The motion passed (roll call) with Messrs. Knox, Kehoe,

XI. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

317D – JOHN S. BENEDICT (Continued)

Okum, Walsh, Moore, Santos, Ms. Gray and Ms. Zapanta voting yes; and Mr. Robbins voting no.

5150B – MITCHELL C. COHEN\*

Mr. Pryor made a motion, Mr. Okum seconded, to grant a nonservice-connected disability retirement pursuant to Government Code Section 31720 and 31724. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Santos, Robbins, Ms. Gray and Ms. Zapanta voting yes.

B. Disability Retirement Appeals

MARIE A. RUSSELL- Thomas J. Wicke for the Applicant  
Eugenia W. Der for the Respondent

Mr. Moore made a motion, Mr. Okum seconded, to grant a service-connected disability retirement since the employer cannot accommodate. The motion passed (roll call) with Messrs. Knox, Kehoe, Okum, Walsh, Moore, Santos, Robbins, Ms. Gray and Ms. Zapanta voting yes.

XII. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned  
at 9:19 a.m.

October 15, 2020

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GINA ZAPANTA, SECRETARY

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HERMAN SANTOS, CHAIR

October 23, 2020

TO: Each Trustee,  
Board of Retirement  
Board of Investments

FROM: Santos H. Kreimann *SHK*  
Chief Executive Officer

SUBJECT: **CHIEF EXECUTIVE OFFICER'S REPORT**

I am pleased to present the Chief Executive Officer's Report for October 2020 that highlights a few of the operational activities that have taken place during the past month, key business metrics to monitor how well we are meeting our performance objectives, and an educational calendar.

### **Virtual Webinars Launched**

We are pleased to announce that effective October 15, 2020, we began scheduling virtual Outreach webinars. Members can visit [lacera.com](http://lacera.com) to schedule an appointment to attend our Making the Most of Your Retirement Plan, mid-career webinars, the Pre-Retirement Workshop and a new Retiree Healthcare webinar. Webinars begin on November 3<sup>rd</sup> - just in time for the start of our March Madness season.

Our Outreach team has also been working with some of our business partners to serve members at union benefit events. We have also developed and offered a special series of webinars to Superior Court members who are eligible for their Voluntary Separation Incentive Program.

We are also extremely pleased to continue our partnership with Empower. Over the last few months Empower has been gracious enough to allow us to participate in their webinar series as they conduct outreach to our mutual members. LACERA will continue working with Empower, as they will commence participating in our webinars as well. This partnership is a win-win for our LACERA members, as together we are able to provide a full overview of our member's retirement plans and retirement savings. Including Empower as part of our webinar events may also help reach County employees that may not have taken advantage of the 401K and 457 plans.

### **Member Services Operation Group Management Changes**

As we shared in last month's CEO Report, we have been conducting a series of meetings with the management and supervisor teams throughout LACERA to discuss the Roadmap for Implementing

Action Steps in the 100 Day Roadmap Plan. Now that these meetings have been completed, we have begun to focus efforts on fulfilling the action steps. Leaders throughout LACERA have begun developing their project plans for meeting the milestones outlined in the Roadmap.

This includes the realignment of the divisions into the Member Services Operations Group and the Administration Services Group. Mr. Popowich has been providing oversight for the Member Services Operations Group and while we have not yet filled the vacant Assistant Executive Officer position, together Mr. Popowich and I are providing oversight and leadership for the Administration Services Group.

The recent departure of our Quality Assurance Chief presented a window of opportunity to evaluate the leadership structure in our Member Services Operational Group, implement the Roadmap objectives and action plans, improve operational efficiencies, and enhance services for our members.

As such, effective November 1, 2020, we are making the changes outlined below to the Member Services Operations Group management team. The changes offer an opportunity to challenge the status quo, apply new perspectives to our operations, and allow us to take a fresh look at how we provide services to our members. Additionally, it continues our efforts and commitment to developing a strong leadership team through cross training.

- Bernie Buenaflor, our current Division Manager of Benefits, will assume the role of Chief of Quality Assurance. Mr. Buenaflor has served as the Benefits Division Manager for over a decade, and served in Internal Audit before moving to the Benefits Division. His experience in these two roles will serve him well as he takes on this new challenge.
- Carlos Barrios, our current Section Head in the Member Services Outreach Section, will serve as the Interim Division Manager in Benefits until a permanent replacement can be recruited. Mr. Barrios' decades of experience leading our Outreach team in providing front line counseling and service to our members and his knowledge of processes, procedures, regulations, and laws that govern LACERA will serve him well as he works with the Benefits Team to continue examining and improving services to our members.
- Vanessa Gonzalez, Sr. Retirement Benefit Specialist in the Member Services Outreach Section, will serve as the Interim Section Head vacated by Mr. Barrios until a permanent replacement can be hired. Ms. Gonzalez, who previously served as an interim Division Manager of Benefits, has proven herself a capable leader and will help us continue to expand our Outreach efforts using in person and virtual tools.

We will be working closely with Carly Ntoya, Director of Human Resources, to take the necessary steps to fill these positions permanently in accordance with Civil Service Rules.

### **Recruiting Update for Open Vacancies**

We are committed to ensuring LACERA has the necessary resources to meet our mission, provide excellent service to our members, and complete strategic objectives necessary to deliver on our commitment to our members. Accordingly, Human Resources is actively recruiting, assessing and hiring staff to fill current vacancies. In an effort to improve the process, the team recently revised the exam process to include additional information regarding the division's needs and the expected job duties of these vacant positions. This information will help us to recruit and hire the most qualified candidates in a shorter period of time.

We have approved the following exams for Human Resources to recruit:

| Job Title                               | Division        | #<br>Vacancies | Exec. Approval<br>Date | Start  | Candidate<br>Pool |
|---|-----------------|----------------|------------------------|--------|-------------------|
| Finance Analyst III                     | Investments     | 3              | 11/21/2019             | Sep-20 | Open              |
| Finance Analyst II,<br>LACERA           | Investments     | 1              | 7/22/2020              | Jul-20 | Open              |
| Admin Services Officer,<br>LACERA       | Admin. Services | 2              | 9/9/2020               | Nov-20 | Open              |
| Retirement Benefits<br>Specialist III   | Member Services | 5              | 9/17/2020              | Nov-20 | Promo             |
| Sr. Retirement Benefits<br>Specialist   | MS and Benefits | 3              | 9/17/2020              | Nov-20 | Promo             |
| Management Secretary                    | Legal           | 2              | 9/30/2020              | Nov-20 | Open              |
| Sr. Disability Retirement<br>Specialist | Dis. Retirement | 1              | 9/28/2020              | Nov-20 | Promo             |
| Retirement Benefits<br>Specialist I*    | Member Services | 6              | 9/17/2020              | Jan-21 | Open              |
| Principal Internal Auditor,<br>LACERA   | Internal Audit  | 1              | 10/17/2020             | Nov-20 | Promo             |
| Web Support Technician                  | Communications  | 1              | 10/22/2020             | Oct-20 | Open              |
| Sr. Quality Auditor                     | QA              | 1              | 9/9/2020               | Nov-20 | Promo             |

\*LACERA does not have regular Retirement Benefits Specialist I classifications. The number above is an estimate of the RBS trainees that will be needed for the next training cohort.

Twelve Retirement Benefits Specialists IIs were hired on October 2, 2020 upon completion of the year-long training class. HR also received various RFP submissions from Executive Recruitment firms to facilitate the hiring of a Chief Deputy Executive Officer and Assistant Executive Officer.



### **LACERA's Annual Wellness and Employee Benefits Program**

LACERA continued its long standing tradition of supporting wellness in the workplace by hosting the Annual Wellness and Employee Benefits Program. This year's event was our first ever virtual program. Just as we strive to assist our members, we want to help staff members make healthy decisions that will benefit them now and in the future. The three day event's theme was "Together, We Make Magic" and was held on October 21<sup>st</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup>. The event provided staff members opportunities to gather information about their health and financial benefits in advance of the benefit open enrollment deadline. The sessions provided useful information in the areas of health, wellness, nutrition, and benefits. Specifically, the program provided virtual webinars and vendor booths that explored ways to foster personal and family well-being, work life balance, home buying and refinancing, meditation 101, healthy eating, and the importance of stretch breaks.

The first day included seminars on balancing work and life, eating healthy, home buying education, retirement options, financial information, identity protection, and preventative health measures. The second day included virtual vendor booths and games. On the third day staff members were able to make appointments with Human Resources staff to ask questions about enrollment. The event concluded with an array of prizes including an Apple Watch, a Fitbit, and other items donated by the vendors and LACERA's Employee Council Team.

I had the opportunity to attend some of these sessions and was impressed with how well the team adjusted to a virtual format. I would like to thank the team for all of their hard work. Additionally, this format worked well and may serve as a template for our Retiree Healthcare wellness events.

### **Mid-Year Budget Update**

As discussed during the 2020-2021 budget approval process,, we shared our plan to conduct a mid-year budget review. The budget team has been working with the Executive Office and the management team to assess our needs and identify any further cost savings as a result of operational changes. The team has identified some critical IT related projects designed to improve security, disaster recovery, and business continuity, areas that will lead to a budget adjustment request to better align our resources. Wherever possible, we have offset some of these costs by identifying salary savings and re-evaluating some lower priority projects.

The Budget team will be presenting a proposed budget amendment to the Joint Organizational Governance Committee (JOGC) in November. The final budget amendment as approved by the JOGC will be presented to all Trustees at a Joint Board of Retirement and Board of Investments meeting in December for final approval.

## **Update on our Phased Return to Work Plan**

We wanted to share a short update on our COVID-19 response and our Phased Return to Work planning efforts. While conditions are improving in LA County, they have not reached a level where we feel safe in bringing a large number of staff members in the office. Since our last update in September, we have had a few close calls with staff members who may have been exposed to non-LACERA individuals who were either exposed to COVID-19 or tested positive. Fortunately, no major incidents have occurred, but these instances serve as a reminder that we are not out of the woods yet and this pandemic is not over.

We have essentially completed all of the modifications and preparations in the Member Service Center. Once we have set a date, we will conduct training sessions for MSC staff so they are familiar with the protocols and expectations when we do open the Center.

Additionally, we are launching a new education campaign internally to help staff members become familiar with the return to work plan. We want staff members to have a good understanding of our return to work plans and help them be prepared in advance. We have included a copy of one of our first internal mailings to staff. Additionally, we recently released a talking points tool kit to help managers answer staff member questions.

Over the next few weeks we will begin meeting with Division Managers to begin development of the next phases of the plan. We will be reviewing “habitation maps” to develop a seating plan tailored to each division to ensure social distancing and maximum safety for staff members. These meetings will also include a traffic flow discussion to minimize face-to-face exposure while carrying out their normal duties. This will assist us as we begin installing additional traffic flow signage throughout LACERA as well as updated protocol reminders.

# When Will We Return to the Office?



There are two key factors that will determine our return to work:

1. Once the County has lowered its infection rate to an acceptable tier, we'll be able to return to the office. How a County is tested depends on the number of new daily coronavirus cases and testing positivity rate.



Currently, LA County is in tier **"Purple"** or the highest risk level for infection to spread\*

This means there are **more than 7 new daily cases per 100K people** or higher than 8% positivity rate

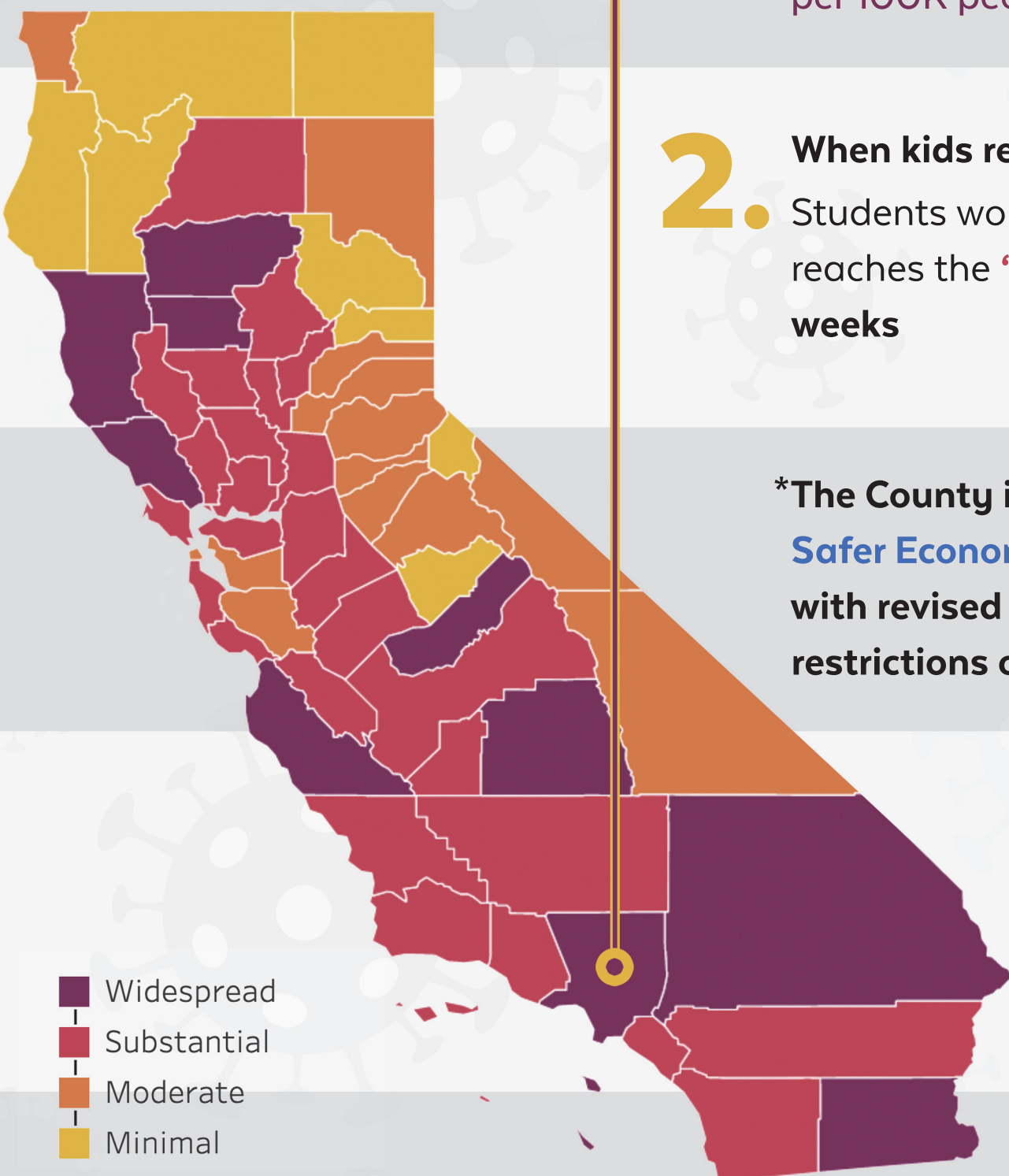
2.

**When kids return to school**

Students won't return to school until LA County reaches the **"Red"** tier of risk level for **two consecutive weeks**

\*The County is following [California's Blueprint for a Safer Economy](#) for reducing COVID-19 in the state with revised criteria for loosening and tightening restrictions on activities.

■ Widespread  
■ Substantial  
■ Moderate  
■ Minimal



## Striving for Excellence in Service

Service Metrics Reported on a Fiscal Year Basis (July 1) Through:

September 2020



**Outreach  
Attendance**

**1,214**

5,066 Year-to-Date



**Outreach  
Events**

**11**

33 Year-to-Date



**Outreach  
Satisfaction**

**N/A**

Change Since Last Mo



**Member Service  
Center**

**N/A**

- Change Since Last Mo



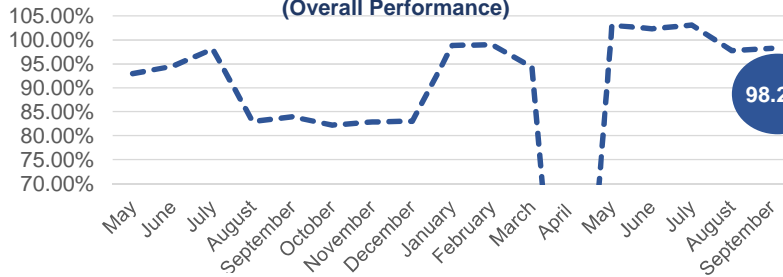
**Member Services  
Calls**

**11,423**

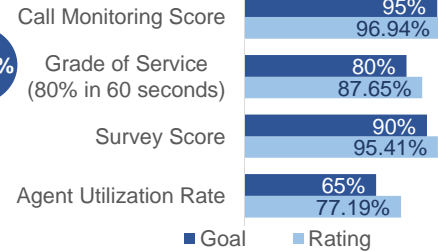
11,786 3 Mo. Avg.

### Key Performance Indicator (Overall Performance)

Goal: 100%



### Key Performance Indicator (Components)



## Member Services



■ Calls Answered ■ Calls Abandoned

### Top Calls

1. Retirement Counseling: Process Overview
2. MyLACERA Login Issues
3. Retirement Counseling: Estimate

**Emails 448**

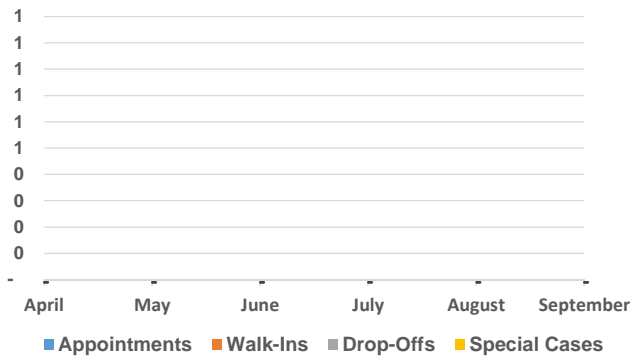
24:00 hours

Avg. Response Time (ART)



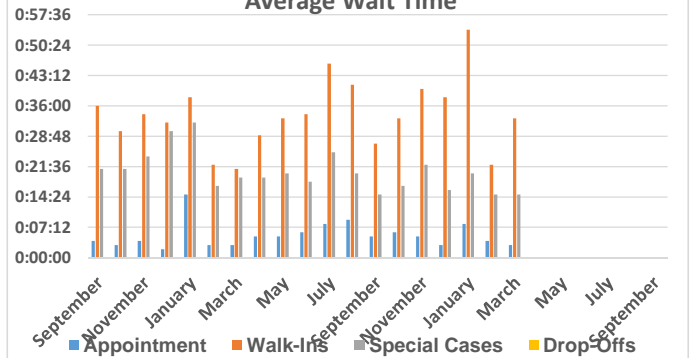
**Secure Messages 602**

### Member Service Center Visits



■ Appointments ■ Walk-Ins ■ Drop-Offs ■ Special Cases

### Member Service Center Average Wait Time



■ Appointment ■ Walk-Ins ■ Special Cases ■ Drop-Offs

\*Drop Off Wait Time: No Waiting



Total RHC Calls: 5,284

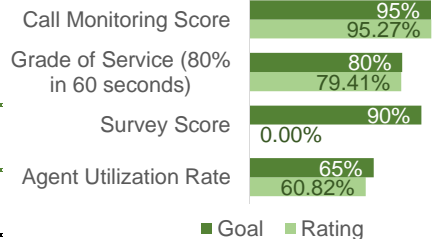
## Retiree Healthcare



■ Calls Answered ■ Calls Abandoned

### Top Calls

1. Medical-New Enrollment/Change/Cancel
2. Medical Benefits
3. Medicare Part B Reimbursement



■ Goal ■ Rating

**Emails 302**

1 Day

Avg. Response Time (ART)



**Secure Messages 178**

## Striving for Excellence in Service (Continued)

### Applications

**666**

In Process

As Of:

9/30/2020

650 Pending on: 8/31/2020

49 Received

148 Year-to-Date

0 Re-Opened

0 Year-to-Date

32 To Board - Initial

118 Year-to-Date

1 Closed

7 Year-to-Date

### Appeals

**94**

In Process

As Of:

9/30/2020

97 Pending on: 8/31/2020

1 Received

4 Year-to-Date

1 Admin Closed/Rule 32

6 Year-to-Date

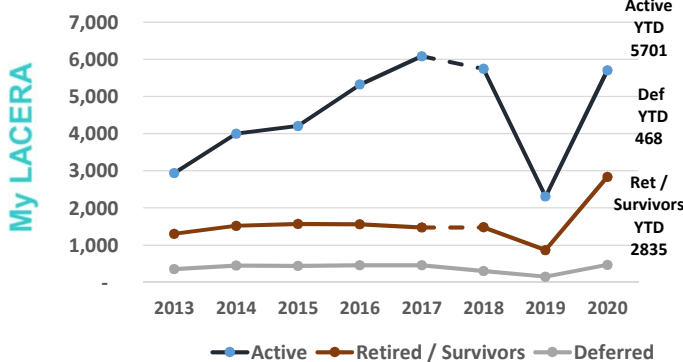
2 Referee Recommended

2 Year-to-Date

1 Revised/Reconsidered for Granting

1 Year-to-Date

### My LACERA Registrations

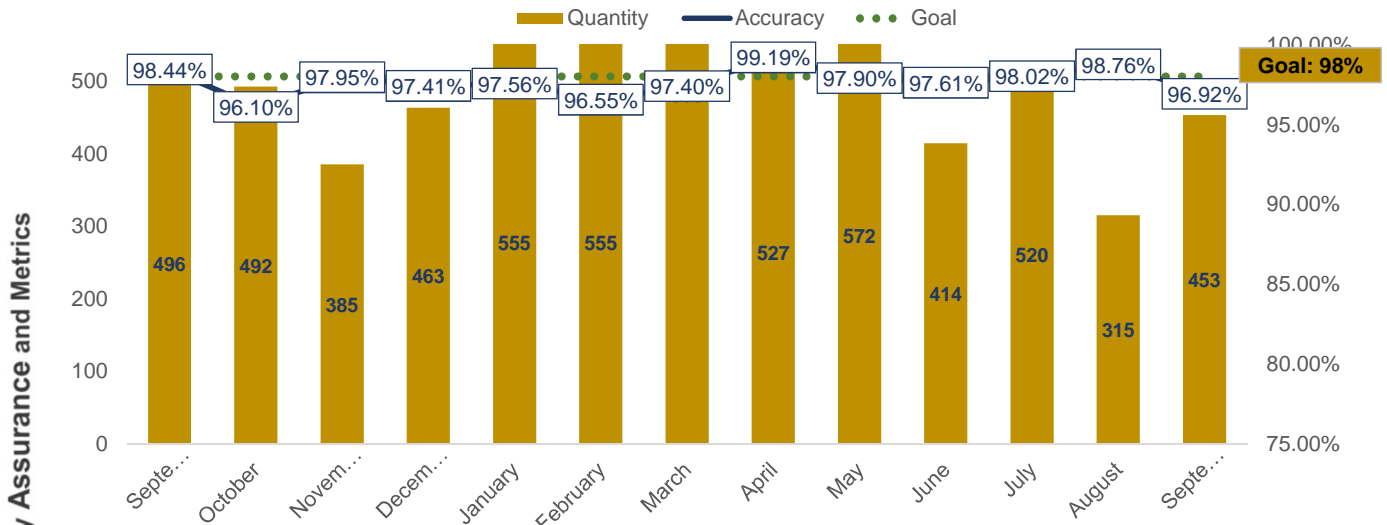


### COVID-19 NOTE

Some Member Services, Retiree Healthcare, and Quality Assurance statistics for April were not available due to COVID-19 impacts. Where possible we have provided estimates based on manual reporting or in some cases a six month average for survey scores.

## Striving for Excellence in Quality

### Audits of Retirement Elections, Payment Contracts, and Data Entry Completed by QA



\*Data for April 2020 is incomplete due to COVID-19 challenges. This is an estimated accuracy %

**September**



**96.92%**

#### Retirement Elections

**343**

Samples

**97.71%**

Accuracy

#### Payment Contracts

**50**

Samples

**93.06%**

Accuracy

#### Data Entry

**60**

Samples

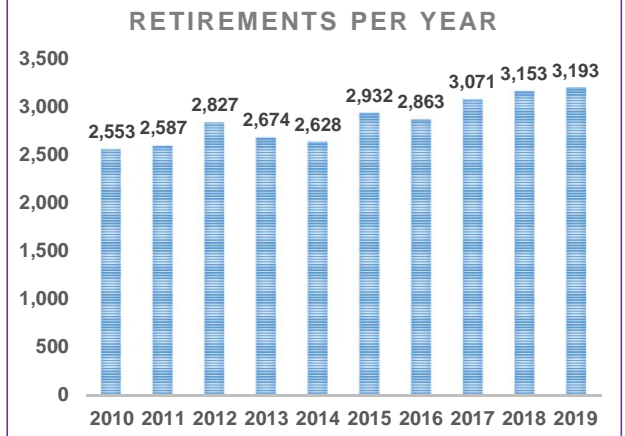
**100.00%**

Accuracy



## Member Snapshot

|                      | Members as of 10/15/2020 |                |               |              |
|----------------------|--------------------------|----------------|---------------|--------------|
|                      | Plan                     | Active         | Retired       | Survivors    |
| General              | Plan A                   | 89             | 15,675        | 4,358        |
|                      | Plan B                   | 20             | 679           | 70           |
|                      | Plan C                   | 30             | 424           | 68           |
|                      | Plan D                   | 39,713         | 17,136        | 1,586        |
|                      | Plan E                   | 16,119         | 13,782        | 1,299        |
|                      | Plan G                   | 30,874         | 69            | 6            |
|                      | <b>Total General</b>     | <b>86,845</b>  | <b>47,765</b> | <b>7,387</b> |
| Safety               | Plan A                   | 2              | 5,005         | 1,620        |
|                      | Plan B                   | 9,120          | 6,475         | 317          |
|                      | Plan C                   | 4,235          | 11            | 0            |
|                      | <b>Total Safety</b>      | <b>13,357</b>  | <b>11,491</b> | <b>1,937</b> |
| <b>TOTAL MEMBERS</b> |                          | <b>100,202</b> | <b>59,256</b> | <b>9,324</b> |
| <b>% by Category</b> |                          | <b>59%</b>     | <b>35%</b>    | <b>6%</b>    |



| Average Monthly Benefit Allowance Distribution October 2020 |               |               |               |             |
|---|---------------|---------------|---------------|-------------|
|   | General       | Safety        | Total         | %           |
| \$0 to \$3,999  | 29,871        | 1,841         | 31,712        | 53.81%      |
| \$4,000 to \$7,999  | 12,915        | 3,504         | 16,419        | 27.86%      |
| \$8,000 to \$11,999   | 3,377         | 4,161         | 7,538         | 12.79%      |
| \$12,000 to \$15,999  | 933           | 1,514         | 2,447         | 4.15%       |
| \$16,000 to \$19,999  | 294           | 275           | 569           | 0.97%       |
| \$20,000 to \$23,999  | 83            | 107           | 190           | 0.32%       |
| \$24,000 to \$27,999  | 27            | 18            | 45            | 0.08%       |
| > \$28,000  | 12            | 3             | 15            | 0.03%       |
| <b>Totals</b>   | <b>47,512</b> | <b>11,423</b> | <b>58,935</b> | <b>100%</b> |

**Average Monthly Benefit Allowance:** \$ **4,451.00**

### Healthcare Program

(YTD as of 09/30/20)

|              | Employer     | Member      |
|--------------|--------------|-------------|
| Medical      | 142.6        | 11.2        |
| Dental       | 11.3         | 1.1         |
| Part B       | 18.7         | 0           |
| <b>Total</b> | <b>172.6</b> | <b>12.3</b> |

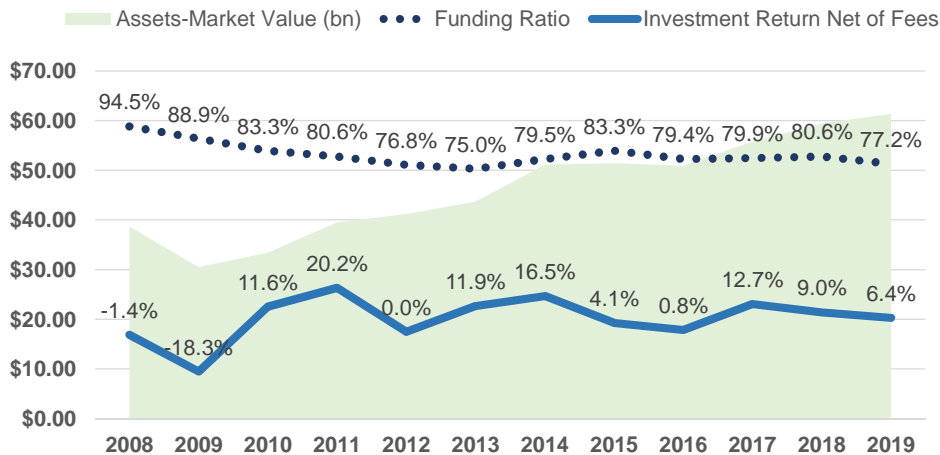
### Healthcare Enrollments

(Mo. Ending: 09/30/20)

|              |                |
|--------------|----------------|
| Medical      | 52,351         |
| Dental       | 53,712         |
| Part B       | 35,609         |
| LTC          | 601            |
| <b>Total</b> | <b>142,273</b> |

## Key Financial Metrics

### Fiscal Year End Financial Update (as of 06/30/2019)



### Funding Metrics (as of 6/30/19)

|              |         |
|--------------|---------|
| Employer NC  | 10.86%  |
| UAAL         | 13.92%  |
| Assumed Rate | 7.00%   |
| Star Reserve | \$614m  |
| Total Assets | \$58.3b |

### Contributions (as of 6/30/19)

|              | Employer | Member   |
|--------------|----------|----------|
| Annual Add   | \$1.7b   | \$635.4m |
| % of Payroll | 22.59%   | 7.68%    |

### TOTAL FUND RETURN (Net of Fees)

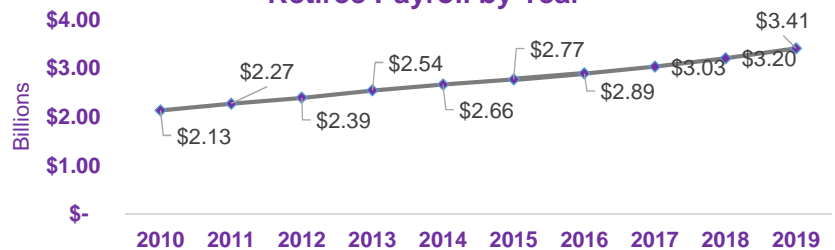
|       |      |        |      |
|-------|------|--------|------|
| 5 YR: | 6.5% | 10 YR: | 9.1% |
|-------|------|--------|------|

### Retired Members Payroll

(As of 9/30/2020)

|                           |         |
|---------------------------|---------|
| Monthly Payroll           | 315.12m |
| Payroll YTD               | \$ .9b  |
| New Retired Payees Added  | 299     |
| Seamless %                | 95.99%  |
| New Seamless Payees Added | 874     |
| Seamless YTD              | 95.42%  |
| By Check %                | 3.00%   |
| By Direct Deposit %       | 97.00%  |

### Retiree Payroll by Year



| Date  | Conference   |
|---|--|
| <b>November, 2020</b>   |  |
| 10-13   | SACRS<br>Indian Wells, CA <i>RESCHEDULED TO VIRTUAL CONFERENCE</i>   |
| 11-12   | Institutional Limited Partners Association (ILPA) General Partner Summit<br>New York, NY <i>CANCELLED – VIRTUAL CONFERENCE NOVEMBER 10-12, 2020</i>  |
| 12-14   | Harvard Business School-Audit Committees in a New Era of Governance<br>Boston, MA <i>CANCELLED</i><br><i>AUDIT COMMITTEES-VIRTUAL NOVEMBER 12-14, 2020</i>   |
| 15-18   | IFEBP (International Foundation of Employment Benefit Plans)<br>Annual Employee Benefits Conference<br>Honolulu, HI <i>CANCELLED</i><br><i>U.S. ANNUAL VIRTUAL CONFERENCE, NOVEMBER 3-19, 2020</i> |
| 16-20   | Investment Strategies & Portfolio Management ( <i>prev. Pension Fund &amp; Investment Mgmt.</i> )<br>Wharton School, University of Pennsylvania <i>LIVE VIRTUAL</i>                                |
| <i>DUE TO COVID-19, SCHEDULED EVENTS FOR 2021 ARE SUBJECT TO CHANGE</i> |  |
| <b>January, 2021</b>  |  |
| 24-26   | NCPERS (National Conference on Public Employee Retirement Systems)<br>Legislative Conference<br>Washington D.C.  |
| <b>February, 2021</b>   |  |
| 17-19   | Pacific Pension Institute (PPI) North American Winter Roundtable<br>Vancouver, Canada  |
| <b>March, 2021</b>  |  |
| 6-9   | CALAPRS (California Association of Public Retirement Systems)<br>General Assembly Meeting<br>Monterey, CA  |
| 8-10  | Council of Institutional Investors (CII) Spring Conference<br>Washington D.C.  |
| 25-26   | PREA (Pension Real Estate Association) Spring Conference<br>Seattle, WA  |
| 31-April 2  | CALAPRS (California Association of Public Retirement Systems)<br>Advanced Principles of Pension Management for Trustees at UCLA<br>Los Angeles, CA   |
| <b>April, 2021</b>  |  |
| 11-14   | World Healthcare Congress<br>Washington D.C.   |

**Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.**

**For further information, contact:  
LACERA  
Attention: Public Records Act Requests  
300 N. Lake Ave., Suite 620  
Pasadena, CA 91101**



October 26, 2020

**TO:** Trustees, Board of Retirement

**FOR:** Board of Retirement Meeting on November 4, 2020

**SUBJECT:** Ratification of Service Retirement and Survivor Benefit Application Approvals

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The attached report reflects service retirements and survivor benefit applications received as of the date of this memo, along with any retirement rescissions and/or changes approved at last month's Board meeting. Any retirement rescissions or changes received after the date of this memo up to the date of the Board's approval, will be reflected in next month's report.

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>             | <u>DEPARTMENT</u>                | <u>RETIRED</u> | <u>SERVICE</u> |
|-------------------------|----------------------------------|----------------|----------------|
| KRISTIN L. ALOMA        | SHERIFF<br>Dept.#SH              | 11-28-2020     | 33 YRS 08 MOS  |
| BRIAN P. BENNETT        | DISTRICT ATTORNEY<br>Dept.#DA    | 10-15-2020     | 33 YRS 02½ MOS |
| VICTOR H. CERDA         | SHERIFF<br>Dept.#SH              | 11-27-2020     | 23 YRS 00 MOS  |
| ARTHUR J. CLAYBION      | SHERIFF<br>Dept.#SH              | 10-31-2020     | 31 YRS 04½ MOS |
| DOMONIC F. FINKS        | L A COUNTY FIRE DEPT<br>Dept.#FR | 09-25-2020     | 31 YRS 06 MOS  |
| MICHAEL L. HETHERINGTON | L A COUNTY FIRE DEPT<br>Dept.#FR | 11-06-2020     | 31 YRS 05½ MOS |
| DIANE V. KIRBY-WHITE    | DISTRICT ATTORNEY<br>Dept.#DA    | 10-22-2020     | 28 YRS 06 MOS  |
| ALLISON M. MELENDEZ     | SHERIFF<br>Dept.#SH              | 11-15-2020     | 21 YRS 05½ MOS |
| ROBERT PARTIDA          | L A COUNTY FIRE DEPT<br>Dept.#FR | 10-31-2020     | 34 YRS 02½ MOS |

# **BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020**

## **BENEFIT APPROVAL LIST**

### **SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT**

| <u>NAME</u>       | <u>DEPARTMENT</u>                | <u>RETIRED</u> | <u>SERVICE</u> |
|-------------------|----------------------------------|----------------|----------------|
| MARTIN ROJAS      | SHERIFF<br>Dept.#SH              | 10-30-2020     | 31 YRS 00 MOS  |
| DEMARKUS F. SMITH | SHERIFF<br>Dept.#SH              | 11-30-2020     | 31 YRS 05 MOS  |
| MICHAEL J. WEBER  | DISTRICT ATTORNEY<br>Dept.#DA    | 10-31-2020     | 12 YRS 05½ MOS |
| WILLIAM M. WILSON | L A COUNTY FIRE DEPT<br>Dept.#FR | 10-31-2020     | 28 YRS 07½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>        | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|--|----------------|----------------|
| ALBERT L. ABLAZA   | PARKS AND RECREATION<br>Dept.#PK           | 11-29-2020     | 28 YRS 11 MOS  |
| BARBARA ABRAMS     | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 10-31-2020     | 45 YRS 05½ MOS |
| SEDA S. ABRAMYAN   | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-28-2020     | 21 YRS 09½ MOS |
| MIGUEL A. ADAME    | PARKS AND RECREATION<br>Dept.#PK           | 10-31-2020     | 21 YRS ½ MOS   |
| NICHOLAS A. AGBOBU | PUBLIC WORKS<br>Dept.#PW                   | 11-30-2020     | 38 YRS 01 MOS  |
| MANUEL Y. ANGLIM   | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-01-2020     | 05 YRS 10½ MOS |
| ROBERTO M. ANTONIO | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-12-2020     | 12 YRS 05½ MOS |
| JANE ARANAS        | CORRECTIONAL HEALTH<br>Dept.#HC            | 09-25-2020     | 21 YRS 09 MOS  |
| BONNY G. AU        | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 11-30-2020     | 36 YRS 00 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>              | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------------|--|----------------|----------------|
| REBECCA E. BAKER-STILES  | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 25 YRS 00 MOS  |
| MADELYN P. BARTOLOME     | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-01-2020     | 35 YRS 11½ MOS |
| ODETTE F. BASHA          | SHERIFF<br>Dept.#SH                        | 09-30-2020     | 12 YRS 03 MOS  |
| JOSEFINA C. BAUTISTA-GUE | PUBLIC HEALTH PROGRAM<br>Dept.#PH          | 11-28-2020     | 30 YRS 08 MOS  |
| RODOLFO B. BEJEC         | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-30-2020     | 20 YRS 04½ MOS |
| NARVA L. BLUE            | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-01-2020     | 33 YRS 07½ MOS |
| HELEN D. BOLDEN          | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-17-2020     | 32 YRS 01 MOS  |
| CAROLYN B. BRAWN         | MENTAL HEALTH<br>Dept.#MH                  | 11-30-2020     | 12 YRS 01 MOS  |
| DEBRAH A. BRUMFIELD      | MENTAL HEALTH<br>Dept.#MH                  | 10-30-2020     | 29 YRS 06 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>        | <u>DEPARTMENT</u>                       | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|---|----------------|----------------|
| ANA B. BUSTOS      | REG-RECORDER/COUNTY CLERK<br>Dept.#RR   | 12-31-2020     | 31 YRS 07½ MOS |
| ARMANDO L. CACERES | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG | 11-30-2020     | 20 YRS 00 MOS  |
| REBECCA V. CAMACHO | PUBLIC WORKS<br>Dept.#PW                | 11-28-2020     | 40 YRS 01 MOS  |
| AURORA CARLOS      | SHERIFF<br>Dept.#SH                     | 11-28-2020     | 25 YRS 01 MOS  |
| MANUEL CARVAJAL    | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG | 10-30-2020     | 28 YRS 09 MOS  |
| NEISHA G. CASASOLA | MENTAL HEALTH<br>Dept.#MH               | 09-30-2020     | 23 YRS 01½ MOS |
| MICHAEL D. CASTEEL | SHERIFF<br>Dept.#SH                     | 11-30-2020     | 31 YRS 05 MOS  |
| OBDULIA CASTRO     | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG | 10-16-2020     | 24 YRS 09 MOS  |
| KWOK KEE CHAN      | TREASURER AND TAX COLLECTOR<br>Dept.#TT | 10-31-2020     | 18 YRS 06½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| CYNTHIA M. CHAVEZ    | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 28 YRS 07 MOS  |
| EDGARDO L. CHEE      | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 11-28-2020     | 35 YRS 01 MOS  |
| YI-JYWE CHENG        | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 11-01-2020     | 16 YRS 05½ MOS |
| COLLEEN K. CHIKAHISA | PUBLIC DEFENDER<br>Dept.#PD                | 11-28-2020     | 36 YRS 08 MOS  |
| HWI S. CHOE          | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 09-30-2020     | 28 YRS 07½ MOS |
| ARTHUR CORONA        | PROBATION DEPARTMENT<br>Dept.#PB           | 11-28-2020     | 40 YRS 02 MOS  |
| SANDRA L. CRAWFORD   | MENTAL HEALTH<br>Dept.#MH                  | 10-31-2020     | 12 YRS 08½ MOS |
| SHEILA A. CRISTAL    | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 11-27-2020     | 25 YRS 02 MOS  |
| LARY CROUTCH         | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 10-24-2020     | 30 YRS 07 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>           | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------------|--|----------------|----------------|
| CHARLES D. DARDEN     | REG-RECORDER/COUNTY CLERK<br>Dept.#RR      | 10-20-2020     | 21 YRS ½ MOS   |
| SIMA DASHTOIAN        | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 10-31-2020     | 26 YRS 10½ MOS |
| LUZ E. DIAZ           | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 11-28-2020     | 23 YRS 07 MOS  |
| FRANCES DOMINGUEZ     | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 22 YRS ½ MOS   |
| DENNIS L. DOUGLAS     | CHILD SUPPORT SERVICES<br>Dept.#CD         | 10-31-2020     | 40 YRS 09½ MOS |
| MARVIN ANTHO S. EREZO | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 11-30-2020     | 24 YRS 01 MOS  |
| JUANITA ESCOBEDO      | MENTAL HEALTH<br>Dept.#MH                  | 11-28-2020     | 28 YRS 08 MOS  |
| NOEMI ESPIRITU        | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-16-2020     | 16 YRS 08 MOS  |
| KARINEH ESTES         | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 09-30-2020     | 14 YRS 00 MOS  |



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| <u>NAME</u>           | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------------|--|----------------|----------------|
| LUIS R. FLORES        | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 40 YRS 02 MOS  |
| PRESTON W. FOSTER     | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 11-28-2020     | 31 YRS 03 MOS  |
| JOSE L. FREGOSO       | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-01-2020     | 15 YRS 01½ MOS |
| MARIA ESTELA GARCIA   | AMBULATORY CARE NETWORK<br>Dept.#HN        | 11-28-2020     | 30 YRS 00 MOS  |
| JOSE R. GARCIA        | AGRICULTURAL COMM./WTS & MEAS.<br>Dept.#AW | 10-29-2020     | 26 YRS 04 MOS  |
| HILARIO J. GODINES JR | PROBATION DEPARTMENT<br>Dept.#PB           | 10-30-2020     | 26 YRS 04½ MOS |
| CAROL GONZALES        | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 32 YRS 05½ MOS |
| BECKY A. GOULET       | SHERIFF<br>Dept.#SH                        | 10-08-2020     | 37 YRS ½ MOS   |
| JOHNETTE GRACE        | SHERIFF<br>Dept.#SH                        | 11-12-2020     | 17 YRS 06½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

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### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| MARK E. GRAY         | INTERNAL SERVICES<br>Dept.#IS              | 12-31-2020     | 17 YRS 03½ MOS |
| JUANA GUERRA         | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 11-28-2020     | 21 YRS 05 MOS  |
| TANYA R. HALEY       | INTERNAL SERVICES<br>Dept.#IS              | 09-30-2020     | 10 YRS 00 MOS  |
| JANET R. HARRIS      | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-20-2020     | 21 YRS 10 MOS  |
| LORETTA HARTOUNI     | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 08-17-2020     | 12 YRS 09 MOS  |
| CATHY E. HAYES       | SHERIFF<br>Dept.#SH                        | 09-20-2020     | 28 YRS 06 MOS  |
| CARL E. HERNANDEZ    | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 10-31-2020     | 39 YRS 06½ MOS |
| LAWRENCE O. HIRONAKA | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 35 YRS 02 MOS  |
| PAUL V. HOANG        | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 12-31-2020     | 22 YRS ½ MOS   |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>           | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------------|--|----------------|----------------|
| SABINE I. HOLLOWAY    | PUBLIC WORKS<br>Dept.#PW                   | 11-28-2020     | 22 YRS 03 MOS  |
| CYRUS C. HONG         | INTERNAL SERVICES<br>Dept.#IS              | 11-13-2020     | 31 YRS 03½ MOS |
| CHARNELL HUDSON-SWEEN | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 28 YRS 10½ MOS |
| ERNESTO IBARRA        | PROBATION DEPARTMENT<br>Dept.#PB           | 10-30-2020     | 37 YRS 06 MOS  |
| FRANCISCO IBARRA      | PUBLIC LIBRARY<br>Dept.#PL                 | 11-13-2020     | 32 YRS 03½ MOS |
| PATRICIA A. JACKSON   | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 38 YRS ½ MOS   |
| ROSHELL A. JOHNSON    | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 42 YRS 06½ MOS |
| ESTELLA M. JONES      | PROBATION DEPARTMENT<br>Dept.#PB           | 10-08-2020     | 32 YRS 04½ MOS |
| HAE J. KIM            | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 10-31-2020     | 30 YRS 07½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>             | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-------------------------|--|----------------|----------------|
| MONICA KINDRED - MI     | PROBATION DEPARTMENT<br>Dept.#PB           | 10-31-2020     | 41 YRS 10½ MOS |
| ROBERT KINSEY           | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 09-28-2020     | 29 YRS 11½ MOS |
| CLEMENTINE KNOX BOLLING | SHERIFF<br>Dept.#SH                        | 10-31-2020     | 38 YRS 01½ MOS |
| HUANLIE C. KWEY         | CORRECTIONAL HEALTH<br>Dept.#HC            | 11-30-2020     | 10 YRS 00 MOS  |
| FAYE LEWIS              | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 11-28-2020     | 41 YRS 04 MOS  |
| JUAN F. LIMON           | AGRICULTURAL COMM./WTS & MEAS.<br>Dept.#AW | 10-30-2020     | 32 YRS 01 MOS  |
| DENNIS M. LOCKETT       | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 11-30-2020     | 19 YRS 03½ MOS |
| ARMANDO J. LOPEZ        | WORKFORCE DEV AGING & COMM SVC<br>Dept.#CS | 10-31-2020     | 40 YRS ½ MOS   |
| SHEILA LUCKENBACH       | COUNTY COUNSEL<br>Dept.#CC                 | 11-30-2020     | 10 YRS 00 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>        | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|--|----------------|----------------|
| DELIA LUNA         | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 26 YRS 07½ MOS |
| ADRIENNE C. MARTIN | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 09-25-2020     | 32 YRS 11 MOS  |
| NORMAND A. MARTIN  | SHERIFF<br>Dept.#SH                        | 12-31-2020     | 31 YRS ½ MOS   |
| LETICIA MARTINEZ   | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-30-2020     | 25 YRS 11 MOS  |
| DEBORAH C. MCKIE   | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 33 YRS 06 MOS  |
| ANNA M. MEDINA     | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 10-01-2020     | 27 YRS 04 MOS  |
| RODOLFO MENDOZA    | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 11-30-2020     | 21 YRS 00 MOS  |
| MARGARITA MONTANO  | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 12-31-2020     | 33 YRS 05½ MOS |
| MARICELA V. MORFIN | AUDITOR - CONTROLLER<br>Dept.#AU           | 11-28-2020     | 34 YRS 06 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>         | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|---------------------|--|----------------|----------------|
| JERRI K. MOSLEY     | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 10-31-2020     | 39 YRS ½ MOS   |
| SOHEIL NAIMI        | SHERIFF<br>Dept.#SH                        | 11-30-2020     | 34 YRS 10 MOS  |
| LAURIE A. NALIBOFF  | MENTAL HEALTH<br>Dept.#MH                  | 11-30-2020     | 18 YRS 04 MOS  |
| CORAZON S. NEJAL    | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-31-2020     | 49 YRS 09½ MOS |
| ROBERTA L. NUNEZ    | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-30-2020     | 35 YRS 07 MOS  |
| TSOTSO ODAMTTEN     | WORKFORCE DEV AGING & COMM SVC<br>Dept.#CS | 11-28-2020     | 32 YRS 03½ MOS |
| KENNETH F. OLIVAREZ | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 12-31-2020     | 22 YRS 07½ MOS |
| LETICIA ORTEGA      | PUBLIC HEALTH PROGRAM<br>Dept.#PH          | 11-30-2020     | 35 YRS 10 MOS  |
| SHERIFAT O. OSENI   | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-30-2020     | 26 YRS 06 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>             | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-------------------------|--|----------------|----------------|
| THOMAS OUYANG           | ASSESSOR<br>Dept.#AS                       | 10-15-2020     | 13 YRS ½ MOS   |
| AUDREY PATTEN           | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-31-2020     | 31 YRS 01½ MOS |
| RICHARD B. PETHERBRIDGE | PUBLIC DEFENDER<br>Dept.#PD                | 10-31-2020     | 30 YRS 07½ MOS |
| WILFRED M. PHILLIPS JR. | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 12-30-2020     | 11 YRS 03 MOS  |
| VICTOR A. PINEDA        | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 11-30-2020     | 21 YRS 00 MOS  |
| VANNABOON PRATHIMAPRAK  | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-31-2020     | 41 YRS 02½ MOS |
| CASSANDRA Y. RANSFER    | WORKFORCE DEV AGING & COMM SVC<br>Dept.#CS | 11-16-2020     | 24 YRS ½ MOS   |
| PHILIP C. REES          | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 10-16-2020     | 40 YRS 04 MOS  |
| MAE RENE'               | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-30-2020     | 42 YRS 06 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>           | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------------|--|----------------|----------------|
| GERALDINE RENTERIA    | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 10-31-2020     | 45 YRS 07½ MOS |
| GABRIEL A. REYES      | SHERIFF<br>Dept.#SH                        | 10-15-2020     | 06 YRS 03½ MOS |
| EVANGELINA RIVERA     | CORRECTIONAL HEALTH<br>Dept.#HC            | 12-31-2020     | 15 YRS 02 MOS  |
| MARIA I. RIVERA DE RA | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-30-2020     | 13 YRS 00 MOS  |
| TAMARA D. ROLLISON    | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-30-2020     | 32 YRS 05 MOS  |
| CYNTHIA R. ROSALES    | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 26 YRS 07 MOS  |
| LEE E. ROSEN          | ALTERNATE PUBLIC DEFENDER<br>Dept.#AD      | 11-09-2020     | 41 YRS 05½ MOS |
| GUADALUPE RUBIO       | SHERIFF<br>Dept.#SH                        | 10-31-2020     | 29 YRS 10 MOS  |
| GLORIA SALINAS        | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 09-30-2020     | 44 YRS 04½ MOS |



# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| MAGDALEN SANCHEZ     | AMBULATORY CARE NETWORK<br>Dept.#HN        | 10-01-2020     | 40 YRS 04½ MOS |
| ELAINE E. SANCHEZ    | DEPARTMENT OF HUMAN RESOURCES<br>Dept.#HM  | 11-29-2020     | 41 YRS 06 MOS  |
| VERDENIA SANDERS     | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 36 YRS 05½ MOS |
| JOE SERRANO          | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 10-31-2020     | 41 YRS 01½ MOS |
| SYLVIA J. SHAW       | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 11-28-2020     | 42 YRS 02½ MOS |
| STEWART H. SHEN      | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-30-2020     | 13 YRS 06 MOS  |
| KATHLEEN A. SHEPHERD | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 42 YRS 06 MOS  |
| NIWAT SIHAVONG       | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 09-30-2020     | 35 YRS 02 MOS  |
| SHARON A. SIMMONS    | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 11-30-2020     | 40 YRS 03 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| MARY SINANIAN        | PUBLIC HEALTH PROGRAM<br>Dept.#PH          | 10-08-2020     | 32 YRS 02½ MOS |
| MATHILDA SKENDERIAN  | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-31-2020     | 32 YRS 05 MOS  |
| DONALD N. SLOSS      | L A COUNTY FIRE DEPT<br>Dept.#FR           | 10-15-2020     | 36 YRS 11½ MOS |
| GLEN S. SOLOMON      | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 12-12-2020     | 42 YRS 01½ MOS |
| STEVE SOSNOWSKI      | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 12-31-2020     | 39 YRS 05½ MOS |
| JOANNE M. SWART      | INTERNAL SERVICES<br>Dept.#IS              | 11-28-2020     | 38 YRS 11 MOS  |
| PAUL KOUT HO TAW     | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 12-31-2020     | 20 YRS ½ MOS   |
| LORI M. TOLLIVER     | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 11-28-2020     | 37 YRS 00 MOS  |
| LEONARD J. TORREALBA | DISTRICT ATTORNEY<br>Dept.#DA              | 10-31-2020     | 40 YRS 01½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

| <u>NAME</u>        | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|--|----------------|----------------|
| YOLANDA TORRES     | PROBATION DEPARTMENT<br>Dept.#PB           | 10-31-2020     | 41 YRS 03½ MOS |
| TAUNYA E. TUTT     | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-30-2020     | 21 YRS 07 MOS  |
| VICKIE L. VINES    | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 31 YRS 09 MOS  |
| MITCHELL V. VOYDAT | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-31-2020     | 20 YRS 02½ MOS |
| KAREN WASHINGTON   | SUPERIOR COURT/COUNTY CLERK<br>Dept.#SC    | 11-28-2020     | 19 YRS 09 MOS  |
| GERALDO R. WATSON  | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 12-31-2020     | 25 YRS 09½ MOS |
| VYILETT M. WEBB    | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 11-28-2020     | 14 YRS 10 MOS  |
| MARGIE A. WEILAND  | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-31-2020     | 47 YRS 08½ MOS |
| CAMILLE J. WILDER  | COASTAL CLUSTER-HARBOR/UCLA MC<br>Dept.#HH | 10-31-2020     | 42 YRS 10½ MOS |

# **BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020**

## **BENEFIT APPROVAL LIST**

### **GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT**

| <u>NAME</u>        | <u>DEPARTMENT</u>                      | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|--|----------------|----------------|
| WANDA L. WILLIAMS  | PROBATION DEPARTMENT<br>Dept.#PB       | 10-01-2020     | 41 YRS 01½ MOS |
| JEFFREY M. WOLFSON | CHILDREN & FAMILY SERVICES<br>Dept.#CH | 12-31-2020     | 17 YRS 05½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### SAFETY SURVIVOR APPLICATIONS

| <u>NAME</u>     | <u>DEPARTMENT</u>   | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------|---------------------|----------------|----------------|
| DANIEL E. LANEY | SHERIFF<br>Dept.#SH | 01-13-2020     | 12 YRS 03½ MOS |

SON of AMBER J LEIST  
dec'd on 01-12-2020, Sect. #31781.3

# **BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020**

## **BENEFIT APPROVAL LIST**

### **SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT FROM DEFERRED**

| <u>NAME</u>        | <u>DEPARTMENT</u>   | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|---------------------|----------------|----------------|
| DANIEL A. GONZALES | SHERIFF<br>Dept.#SH | 10-01-2020     | 03 YRS 11 MOS  |
| SUSAN E. NELSON    | SHERIFF<br>Dept.#SH | 09-22-2020     | 07 YRS 03½ MOS |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT FROM DEFERRED

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| MARGARITA J. ALLEN   | PUBLIC HEALTH PROGRAM<br>Dept.#PH          | 10-01-2020     | 10 YRS 08 MOS  |
| MANUELITO R. BOLOSAN | AMBULATORY CARE NETWORK<br>Dept.#HN        | 10-06-2020     | 08 YRS 07½ MOS |
| EDWARD K. CHAN       | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 09-09-2020     | 10 YRS 06 MOS  |
| DIANE L. COLLINS     | L A COUNTY FIRE DEPT<br>Dept.#FR           | 10-04-2020     | 13 YRS 00 MOS  |
| FRANK M. DUARTE      | CORRECTIONAL HEALTH<br>Dept.#HC            | 11-30-2020     | 08 YRS 00 MOS  |
| JOSETTE ETCHEVERRY   | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 10-28-2020     | 14 YRS 07 MOS  |
| MARIA M. FERGUSON    | BOARD OF SUPERVISORS<br>Dept.#BS           | 10-01-2020     | 05 YRS 03½ MOS |
| DELMONSHA P. GREEN   | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 09-16-2020     | 12 YRS 00 MOS  |
| VALERIE J. HAMILTON  | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 09-25-2020     | 14 YRS 10 MOS  |

# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT FROM DEFERRED

| <u>NAME</u>          | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|----------------------|--|----------------|----------------|
| ERIC J. HERMAN       | PUBLIC LIBRARY<br>Dept.#PL                 | 10-01-2020     | 13 YRS 11½ MOS |
| JEANETTE HICKS       | SHERIFF<br>Dept.#SH                        | 09-15-2020     | 32 YRS 10 MOS  |
| SUNGMIE K. JAHNG     | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 08-13-2020     | 02 YRS 06½ MOS |
| DEBRA J. JONES       | L A COUNTY FIRE DEPT<br>Dept.#FR           | 09-25-2020     | 17 YRS 10 MOS  |
| THOMAS L. JOSEPH III | CHIEF EXECUTIVE OFFICE<br>Dept.#AO         | 10-01-2020     | 06 YRS 09 MOS  |
| YOLANDA T. JUSE      | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 10-20-2020     | 10 YRS 08 MOS  |
| ANGEL P. MARTINEZ    | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 10-05-2020     | 14 YRS 03 MOS  |
| LORRAINE MURRELL     | SFV CLUSTER-OLIVE VIEW/UCLA MC<br>Dept.#HO | 05-18-2020     | 11 YRS 09 MOS  |
| JOSE B. OLMEDO       | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-01-2020     | 16 YRS 03 MOS  |



# BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT FROM DEFERRED

| <u>NAME</u>           | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|-----------------------|--|----------------|----------------|
| WANDA A. OWENS        | SHERIFF<br>Dept.#SH                        | 12-16-2020     | 15 YRS 02 MOS  |
| SYLVIA E. PALMA       | HEALTH SERVICES ADMINISTRATION<br>Dept.#HS | 10-31-2020     | 42 YRS 04½ MOS |
| LANA K. PANDOLFINO    | DISTRICT ATTORNEY<br>Dept.#DA              | 11-26-2020     | 22 YRS 06 MOS  |
| ROGELIO PEREZ         | NORTHEAST CLUSTER (LAC+USC)<br>Dept.#HG    | 09-29-2020     | 25 YRS 00 MOS  |
| BARBARA POWER         | <br>Dept.#381                              | 10-01-2020     | 07 YRS 10 MOS  |
| ETHEL LATRIC RISBY    | PROBATION DEPARTMENT<br>Dept.#PB           | 03-01-2020     | 11 YRS 06 MOS  |
| CATHARINE W. ROONEY   | CHILDREN & FAMILY SERVICES<br>Dept.#CH     | 10-09-2020     | 07 YRS 10 MOS  |
| WILLIAM T. SAVAGE III | RANCHO LOS AMIGOS HOSPITAL<br>Dept.#HR     | 08-31-2020     | 03 YRS 06 MOS  |
| MODISE P. SHIPMAN     | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 09-17-2020     | 06 YRS 05 MOS  |

# **BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020**

## **BENEFIT APPROVAL LIST**

### **GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT FROM DEFERRED**

| <u>NAME</u>        | <u>DEPARTMENT</u>                          | <u>RETIRED</u> | <u>SERVICE</u> |
|--------------------|--|----------------|----------------|
| SHERRY S. THOMAS   | DEPT OF PUBLIC SOCIAL SERVICES<br>Dept.#SS | 10-01-2020     | 20 YRS 07 MOS  |
| LA VETTA D. WALKER | Dept.#522                                  | 10-31-2020     | 10 YRS 06 MOS  |

**BOARD OF RETIREMENT MEETING OF NOVEMBER 4, 2020  
RESCISSIONS/CHANGES FROM BENEFIT APPROVAL LIST  
APPROVED ON OCTOBER 7, 2020**


**GENERAL MEMBER APPLICATIONS FOR SERVICE RETIREMENT**

| NAME                    | DEPARTMENT                     | UPDATE                               |
|-------------------------|--------------------------------|--------------------------------------|
| ANAHID BANDIKIAN        | SUPERIOR COURT/COUNTY CLERK    | RESCINDED RETIREMENT                 |
| BARBARA A KIMURA        | SHERIFF                        | RESCINDED RETIREMENT                 |
| CARLOS J REYES          | PUBLIC HEALTH PROGRAM          | RESCINDED RETIREMENT                 |
| DUANE M ASAO            | HEALTH PLAN ADMINISTRATION     | CHANGE OF DATE TO September 23, 2020 |
| ESTELA CARRILLO         | NORTHEAST CLUSTER (LAC+USC)    | RESCINDED RETIREMENT                 |
| JOCELYN L VARNAL        | NORTHEAST CLUSTER (LAC+USC)    | CHANGE OF DATE TO October 1, 2020    |
| LANY H SETIA            | JUVENILE COURT HEALTH SERVICES | CHANGE OF DATE TO November 1, 2020   |
| LISA A MAZZOCCO         | LACERA                         | RESCINDED RETIREMENT                 |
| MAE RENE'               | DEPT OF PUBLIC SOCIAL SERVICES | CHANGE OF DATE TO November 30, 2020  |
| MARIA C MARTINEZ        | NORTHEAST CLUSTER (LAC+USC)    | CHANGE OF DATE TO October 14, 2020   |
| MARIA E PANDURO-MORALES | MENTAL HEALTH                  | RESCINDED RETIREMENT                 |
| MARTHA CERVANTES        | SUPERIOR COURT/COUNTY CLERK    | RESCINDED RETIREMENT                 |
| MARY A MEHARG           | CHILDREN & FAMILY SERVICES     | CHANGE OF DATE TO November 30, 2020  |
| REX H OPPENHEIMER       | PROBATION DEPARTMENT           | CHANGE OF DATE TO November 28, 2020  |
| ROSA AVALOS             | SFV CLUSTER-OLIVE VIEW/UCLA MC | CHANGE OF DATE TO October 1, 2020    |
| SOOK H SONG             | CORRECTIONAL HEALTH            | RESCINDED RETIREMENT                 |
| SUBODH K SINHA          | PUBLIC WORKS                   | RESCINDED RETIREMENT                 |
| THAMPI P KURUVILA       | SHERIFF                        | CHANGE OF DATE TO October 30, 2020   |



October 21, 2020

TO: Each Trustee  
Board of Retirement

FROM: Ricki Contreras, Manager   
Disability Retirement Services Division

FOR: November 4, 2020 Board of Retirement Meeting

SUBJECT: **DISMISS WITH PREJUDICE THE APPEAL OF NARIMAN AMJADI**

Mr. Nariman Amjadi applied for a service-connected disability retirement on October 13, 2016. On January 9, 2020, the Board denied his application for service-connected disability retirement and granted a nonservice-connected disability retirement with the option of an earlier effective date.

Mr. Amjadi's attorney filed a timely appeal regarding his application for a service-connected disability retirement. On October 14, 2020, the applicant's attorney advised LACERA that his client did not wish to proceed with his appeal.

**IT IS THEREFORE RECOMMENDED THAT THE BOARD:**

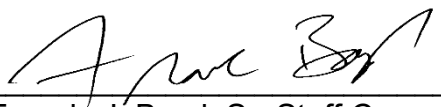
Dismiss with prejudice Nariman Amjadi's appeal for a service-connected disability retirement.

FJB: RC: mb

Amjadi, Nariman.docx

Attachment

NOTED AND REVIEWED:

  
Francis J. Boyd, Sr. Staff Counsel

Date: 10/22/20

October 20, 2020

TO: Each Trustee  
Board of Retirement

From: Operations Oversight Committee  
Thomas Walsh, Chair  
Herman B. Santos, Vice Chair  
Shawn R. Kehoe  
Wayne Moore  
Vivian Gray, Alternate

FOR: November 4, 2020 Board of Retirement Meeting

**SUBJECT: Approval of the Post Retirement Employment Policy**

## **RECOMMENDATION**

That the Board of Retirement approve and adopt the Post Retirement Employment Policy.

## **DISCUSSION**

With the implementation of the Public Employees' Pension Reform Act of 2013 (PEPRA), the California Legislation instituted broad pension reforms. These reforms imposed additional restrictions on the employment of retirees. PEPRA added 7522.56 to the Government Code which set forth post-retirement employment requirements applicable to all retirees who are receiving a pension benefit from a public retirement system.

One of the County audit recommendations included for LACERA to develop "transition plans for 120-day temporary employees and implement a process to periodically review and update transition plans as needed." LACERA agreed with the County's recommendation. Accordingly, beginning in March of this year the Human Resources Division implemented a process requiring division managers to complete a request form, which includes a start and end date of the retired annuitant, description of assigned project, specialized skills and a transition plan.

In order to further increase transparency and compliance with PEPRA, the Executive, Audit, Human Resources and Legal Divisions worked together in drafting the attached Post Retirement Employment Policy that goes further than the County's recommendation as it will require transition plans to not only be reviewed and approved by the Human Resources Division and the Executive Office, but also be reviewed as part of LACERA's annual budget process.

In addition, the Policy clarifies the Human Resources Division's role in tracking compliance as well as assists staff and retired annuitants with understanding the legal requirements for hiring retired annuitants who are looking to return to work for a limited duration.

## **RECOMMENDATION**

**IT IS THEREFORE RECOMMENDED THAT THE BOARD** approve and adopt the Post Retirement Employment Policy.

## **Attachments**

Post Retirement Employment Policy

Request for Employment of Retiree to a 960 Hour Temporary Assignment

Condition of Post Retirement Employment and Waiver

cc: Santos H. Kreimann

Steven P. Rice

Carly Ntoya

JJ Popowich

Richard Bendall

# POST RETIREMENT EMPLOYMENT POLICY

## **POST RETIREMENT EMPLOYMENT POLICY**

### **1. PURPOSE**

The purpose of the Post Retirement Employment Policy (“Policy”) is to reaffirm and clarify the legal requirements for LACERA’s hiring of LACERA retirees (hereinafter referred to as “retired annuitants”). The goals of this Policy are to:

- Comply with relevant state and federal laws and the plan documents for the rehiring of retired annuitants while receiving a retirement benefit from LACERA; and
- To assist LACERA’s staff members with understanding the requirements for hiring retired annuitants who are looking to return to work for a limited duration.

### **2. LEGAL AUTHORITY**

This Policy is adopted pursuant to the Board of Retirement’s plenary authority over the administration of the system (Cal. Const., art. XVI sec 17) to facilitate LACERA’s compliance with County Employees Retirement Law (CERL), the Public Employees’ Pension Reform Act of 2013 (PEPRA), and IRS regulations.

### **3. SCOPE**

This Policy applies to LACERA’s hiring of LACERA retired annuitants to meet business needs in accordance with California Government Code Sections 31680.3, 7522.56 and IRS regulations.

To the extent that state or federal law provides for additional restrictions or conflicts with this Policy, the law shall prevail over this Policy.

### **4. POLICY STATEMENT**

Under Government Code Section 31680.3, retired annuitants may work up to and not exceed 960 hours per fiscal year, on a temporary basis, without affecting their retirement status or benefits. PEPRA added additional restrictions on the ability of a retiree to work for an employer in a retirement system while also collecting a pension from that system.

Pursuant to California Government Code Section 7522.56, a retired annuitant may work for LACERA on a temporary basis while continuing to receive retirement benefits if:

- LACERA determines it is necessary during an emergency to prevent stoppage of public business; or
- The retired annuitant has skills needed to perform work of limited duration.

### **5. DEFINITIONS**

**5.1 Retired annuitant**, as used in this Policy, means a LACERA retiree rehired as an at-will employee by LACERA without reinstatement from retirement. Retired annuitants do not accrue service credit or otherwise acquire any additional retirement benefits.



**5.2 Normal retirement age** for LACERA members:

Age 57 for general members of Plan A, B, C, D, or G

Age 65 for general members of Plan E

Age 55 for safety members

**6. LEGAL REQUIREMENTS FOR THE HIRING OF RETIRED ANNUITANTS**

**6.1 Work Hour Limitation (960 Hours)**

The retired annuitant may not work in excess of 960 hours in any July 1 - June 30 fiscal year. Once the 960 hours limit is reached, the retired annuitant is not permitted to receive any compensation for the remainder of the fiscal year. As a result, the hiring manager shall establish methods to control the days and hours worked by retired annuitants to ensure compliance with work limits.

**6.2 Retired Annuitant's Skills**

There should be some showing in the retiree's work history that he or she has previous experience and the skill set needed to perform the desired work.

**6.3 Retired Annuitant's Compensation**

The rate of pay for the employment of retired annuitants cannot be less than the minimum, nor exceed the maximum, paid by LACERA to staff performing comparable duties. Retired annuitants cannot receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly rate.

**6.4 Limited Duration**

Limited duration is determined on a case-by-case basis, but it is expected to be the minimum period required to complete the work. The employment should terminate when the limited-duration work is completed. Examples of work of limited duration are work to eliminate a backlog, work on a special project, transfer to specialized knowledge and skills to permanent staff, and work that is in excess of what staff can do.

**6.5 No unemployment benefits**

The retiree cannot be appointed as a retired annuitant if he or she received unemployment insurance payments during the 12 months period prior to the temporary appointment date. The retired annuitant is required to certify, in writing, that he or she is in compliance with this requirement. As a condition of employment, the retired annuitant must sign the attached "Condition of Post Retirement Employment and Waiver" form which covers this requirement. The signed form will be maintained by Human Resources Division.

**6.6 Waiting Period for Post-Retirement Employment**

On January 1, 2013, PEPRA became effective and established the following waiting period pertaining to the hiring of retired annuitants on a temporary basis. Retired annuitants must wait 180 days from their date of retirement before returning to work at LACERA on a

temporary basis except if it is necessary to fill a critically needed position and the hiring has been approved by the Board of Retirement in an open meeting.

Internal Revenue Service (IRS) regulations require a “bona fide” break in service after retirement before rehire. If the retired annuitant is under the “Normal Retirement Age”, a 90 day waiting period applies to the members who fall within the exception in the previous paragraph. This is a federal tax law requirement that must be met in addition to the PEPRA requirement.

#### **6.7 No Prearranged Agreement**

LACERA members who retire before reaching Normal Retirement Age cannot have a prearranged agreement, either orally or in writing, before commencing retirement to return to work at LACERA in a position previously held prior to retirement or any other position. In addition, LACERA cannot hire a retired annuitant as a contract employee.

### **7. ADMINISTRATIVE PROCESS TO MONITOR AND TRACK RETIRED ANNITANTS**

#### **7.1 Requests**

Managers are required to submit requests to hire retired annuitants to a 960 hour temporary assignment using the attached form *Request for Employment of Retiree to a 960 Hour Temporary Assignment* (the “Request”). The Request must include a description of the project, an explanation as to why the work cannot be performed by a current staff member, the retired annuitants’ skills and abilities and a description of the plan to complete the retiree’s work or transition it to a current staff member, and the expected limited duration of the work.

#### **7.2 Approvals**

Prior to offering temporary employment, the Requests require approvals by the Division Manager, Assistant Executive Officer, Human Resources Director and the Chief Executive Officer. No approvals will be granted for a period in excess of one year. All requests are subject to renewal and re-approval every fiscal year.

#### **7.3 Monitoring**

The Human Resources Division is responsible for monitoring and tracking compliance with the requirements as set forth in this Policy.

### **8. EFFECTIVE DATE**

This Policy is effective on the day adopted by the Board of Retirement.

## POST RETIREMENT EMPLOYMENT POLICY

### **8.1 Current Status**

Original Effective Date:

Last Updated:

Responsible Manager: Director of Human Resources

Mandatory Review: Every Three Years

# ATTACHMENT 1

## REQUEST FOR EMPLOYMENT OF RETIREE TO A 960 HOUR TEMPORARY ASSIGNMENT

|  |                         |
|--|-------------------------|
| RETIREE NAME:  | EMPLOYEE NUMBER:        |
| DIVISION:  | SECTION:                |
| PAYROLL TITLE:   | ASSIGNED SUPERVISOR:    |
| START DATE OF ASSIGNMENT:  | END DATE OF ASSIGNMENT: |
| ESTIMATED HOURS:   |                         |
| <b><i>Attach additional pages for each section below, as necessary</i></b>                                   |                         |
| DESCRIPTION OF PROJECT & EXPLANATION OF WHY WORK CANNOT/SHOULD NOT BE PERFORMED BY A PERMANENT STAFF MEMBER: |                         |
| RETIREE'S APPLICABLE KNOWLEDGE, SKILLS AND ABILITIES:  |                         |
| DESCRIPTION OF TRANSITION PLAN:  |                         |

### REQUIRED APPROVALS

|                             |      |   |
|-----------------------------|------|---|
| DIVISION MANAGER            | DATE | <input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED |
| ASSISTANT EXECUTIVE OFFICER | DATE | <input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED |
| HUMAN RESOURCES DIRECTOR    | DATE | <input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED |
| CHIEF EXECUTIVE OFFICER     | DATE | <input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED |

#### FOR HR USE ONLY:

|                     |                           |
|---------------------|---------------------------|
| HR STAFF REVIEW:    | DATE PROCESSED:           |
| DATE REVIEWED:      | DIVISION NOTIFIED:        |
| DATE OF RETIREMENT: | CALCULATED CALENDAR DAYS: |
| REMARKS:            |                           |

# ATTACHMENT 2



October 23, 2020

**SUPPLEMENTAL AGENDA INFORMATION**

TO: Each Trustee  
Board of Retirement

FROM: Barry W. Lew   
Legislative Affairs Officer

FOR: November 4, 2020 Board of Retirement Meeting

SUBJECT: **SACRS 2021 LEGISLATIVE PROPOSALS**

At its October 16, 2020 meeting, the Legislative Committee of the State Association of County Retirement Systems (SACRS) provided an update of the SACRS Board of Directors' discussion of the "COVID-19 Disability Retirement Presumption" proposal.

Instead of voting on whether to sponsor the proposal for legislation at the Business Meeting on November 13, 2020, the SACRS member systems will discuss the merits of the proposal. The SACRS Board of Directors requested that LACERA provide a fact sheet that will assist the other retirement systems in understanding presumptions and what the proposal entails.

Depending on the feedback received and whether changes are needed for the proposal, the SACRS Board of Directors in December will decide whether to advance the proposal to the membership for a vote at the Business Meeting during the SACRS 2022 Spring Conference in May 2022. Therefore, at this time, there is no need to provide voting directions to LACERA's voting delegate.

**Reviewed and Approved:**



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**Steven P. Rice, Chief Counsel**

**Attachment**

SACRS Business Meeting Agenda Item 5.B.

|     |                    |                                 |
|-----|--------------------|---------------------------------|
| cc: | Santos H. Kreimann | Frank Boyd                      |
|     | JJ Popowich        | Vincent Lim                     |
|     | Steven P. Rice     | Joe Ackler, Ackler & Associates |
|     | Ricki Contreras    |                                 |





SACRS Business Meeting Agenda  
Friday, November 13, 2020  
9:00 AM - Upon Adjournment  
Online Via SACRS Conference Platform

SACRS Parliamentarian – TBD  
Sergeant at Arms – Bob Goodchild, San Diego CERA

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**1. SACRS System Roll Call**

Kathryn Cavness, Mendocino CERA, SACRS Secretary

**2. Secretary's Report - Receive and File**

Kathryn Cavness, Mendocino CERA, SACRS Secretary

- A. November 2019 SACRS Business Meeting Minutes

**3. Treasurer's Report - Receive and File**

Harry Hagen, Santa Barbara CERS, SACRS Treasurer

- A. July 2020 – August 2020 Financials
- B. 2020 – 2021 Annual Budget

**4. SACRS President Report - No Action**

Vivian Gray, Los Angeles CERA, SACRS President

- A. SACRS President Update

**5. SACRS Legislative Committee Update – No Action**

Eric Stern, Sacramento CERS and Dave Nelsen, Alameda CERA – SACRS Legislative Committee Co-Chairs

- A. 2020 Legislative Report – No Action
- B. Los Angeles CERA Proposal – No Action

**6. SACRS Nomination Committee - 2021-2022 SACRS Election Notice – No Action**

Dan McAllister, San Diego CERA, SACRS Nomination Committee Chair

- A. SACRS Election Notice 2021-2022

**7. SACRS Audit Report – Action**

Steve Delaney, Orange CERS, SACRS Audit Committee Chair

- A. SACRS 2018-2019 Annual Audit  
*Carry over item from Spring 2020 Conference that was cancelled due to COVID-19*



**8. SACRS Education Committee Report – No Action**

JJ Popowich, Los Angeles CERA, SACRS Education Committee Chair

- A. SACRS Annual Virtual Fall 2020 Conference Evaluations/Feedback

**9. SACRS Program Committee Report – No Action**

Roger Hilton, Orange CERS, SACRS Program Committee Chair

- A. SACRS Annual Virtual Fall Conference Report 2020

**10. SACRS Affiliate Committee Report – No Action**

Teri Noble, Pathway, SACRS Affiliate Committee Chair

- A. Affiliate Committee Update

**11. SACRS Bylaws Committee Report – Action**

Johanna Fontenot, Los Angeles CERA, SACRS Bylaws Committee Chair

- A. Use of SACRS' Intellectual Property
- B. Termination of Membership
- C. Electronic Meetings

**12. SACRS Fall Conference Breakout Reports – No Action**

A representative from each breakout will give report on their meetings.

- A. Administrators
- B. Counsel
- C. Disability/ Operations & Benefits Combo
- D. Internal Auditors
- E. Investment Officers
- F. Safety Trustees
- G. General Trustees

**13. Adjournment**

Next scheduled SACRS Association Business Meeting will be held Friday, May 14, 2021 at the Long Beach Renaissance.



## **5. SACRS Legislative Committee Update – No Action**

Eric Stern, Sacramento CERS and Dave Nelsen, Alameda CERA – SACRS Legislative Committee Co-Chairs

- A. 2020 Legislative Report – No Action
- B. Los Angeles CERA Proposal – No Action



October 21, 2020

To: SACRS Systems  
Fr: SACRS Board of Directors  
Re: COVID-19 Presumption for Disability Retirement Legislative Proposal

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Attached please find a proposal brought forward by LACERA that was presented to the Legislative Committee at their September 18<sup>th</sup> meeting.

The proposal would establish an additional presumption for certain members who apply for disability retirement due to COVID-19.

After discussion and consideration by the Legislative Committee, the Committee ultimately recommended that SACRS not sponsor the legislation this upcoming session. There was concern among the committee members that creating a new COVID-19 presumption is considered a benefit enhancement. Historically, SACRS has taken the view that such issues should be decided by the plan sponsors and their employees.

The Legislative Committee's decision was discussed at the following SACRS Board meeting on October 12. The Board decided that at the November Business Meeting, the SACRS membership would discuss this proposal as a body once it has been reviewed by the member systems. The purpose of this packet is to inform the SACRS systems of the proposal on the table as well as the discussions held by the Legislative Committee and Board on the subject.

In the meantime, the proposal will be vetted further to determine language and the proposal's impact on plan sponsors and systems. After the systems have vetted the proposal and more of the specifics have been developed by LACERA, SACRS will consider the proposal further next year.



**TO:** SACRS ADMINISTRATORS AND RETIREMENT BOARD CHAIRS

**FROM:** Mike Robson and Trent Smith on behalf of SACRS Legislative Committee

**SUBJECT:** **SACRS 2021 LEGISLATIVE TIMELINES**

If you intend to propose legislation to be sponsored by SACRS, please return your request, EXPLAINED ON THE ATTACHED WORKSHEET, before August 30, 2020 to:

Mike Robson & Trent Smith  
Edelstein, Gilbert, Robson & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:

[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)

[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

SACRS also encourages the use of the Legislative Proposal survey found on the SACRS website. <https://www.surveymonkey.com/r/sacrslegislativeproposals>

Below is the SACRS Legislative Committee calendar for soliciting legislative proposals from SACRS retirement associations for consideration in the 2021 Legislative Session:

July 3, 2020

Emailing of Committee request that retirement associations submit proposals for inclusion in the SACRS 2021 Legislative Platform.

August 30, 2020

Deadline for requests to be received by Edelstein, Gilbert, Robson & Smith LLC.

September 18, 2020

Date of Legislative Committee meeting at which requests will be discussed.

October 16, 2020

Legislative Committee will submit proposals, (both those that the Legislative Committee recommends by inclusion in SACRS Legislative Platform, and other proposals received) to all retirement associations for consideration.

November 13, 2020

Those legislative proposals recommended by the Legislative Committee, as well as other proposals, will be discussed at the SACRS Fall Conference.

**2021 SACRS LEGISLATIVE PLATFORM WORKSHEET**  
**PLEASE COMPLETE AND RETURN BY AUGUST 30, 2020**

Title of Issue: COVID-19 Disability Retirement Presumption

Association: LACERA

Contact Person: Barry Lew

Phone #: 626-564-2370

Fax #: N/A

Please answer the following questions as fully as possible:

1. Description of issue.

A member who applies for service-connected disability retirement generally has the burden of proving that his or her permanent incapacity was the result of injury or disease arising out of and in the course of employment and that the employment contributed substantially to the incapacity.

However, for certain diseases and injuries, presumptions exist under the rationale that those diseases and injuries appear to be service-connected but would be difficult for a member to prove as being service-connected.

Given the challenges of contact tracing<sup>1</sup> due to the increasingly widespread nature<sup>2</sup> of the COVID-19 pandemic, there may be cases where members contracted COVID-19 and became permanently incapacitated but have difficulty proving that the disease arose out of and in the course of employment.

2. Recommended solution.

A rebuttable presumption related to a service-connected permanent incapacity due to COVID-19 would provide that members are presumed to have contracted COVID-19 arising out of and in the course of employment, unless the presumption is controverted by other evidence.

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<sup>1</sup> Steinhauer, J., & Goodnough, A. (2020, July 31). Contact Tracing Is Failing in Many States. Here's Why. *New York Times*. <https://www.nytimes.com/2020/07/31/health/covid-contact-tracing-tests.html>; Petersen, M. (2020, July 31). L.A. County's Tracing Team Repeatedly Failed to Detect Coronavirus Outbreaks at Workplaces. *Los Angeles Times*. <https://www.latimes.com/california/story/2020-07-31/la-contact-tracers-struggle-to-keep-up-with-coronavirus-cases>

<sup>2</sup> The Johns Hopkins Center for Health Security. (2020, July 29). *Resetting Our Response: Changes Needed in the US Approach to COVID-19*. [https://www.centerforhealthsecurity.org/our-work/pubs\\_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf](https://www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf)

Although an award of workers' compensation benefits does not necessarily mean that a member also qualifies for disability retirement benefits under CERL, courts have found that the two types of benefits are related in subject matter and harmonious in purpose.

There are currently three workers' compensation bills (AB 196, AB 664, and SB 1159) in the California Legislature that provide a disputable presumption for COVID-19-related injuries that can assist us in the formulation of a new disability retirement presumption. Each bill uses different approaches as noted in the staff memo dated August 4, 2020 to the IBLC. However, SB 1159 appears to be the most comprehensive of the three bills in that it codifies Governor Newsom's Executive Order N-62-20, which provided a COVID-19 presumption for workers' compensation benefits for a specified period of time that has since expired for essential workers, and provides a presumption after that period for employees who are safety members and health care workers whose jobs cannot be done remotely and require contact with members of the public and who may be at higher risk of contracting COVID-19.

Therefore, the proposed COVID-19 presumption for disability retirement in CERL is modeled after the provisions of SB 1159 and CERL's existing disability retirement presumption that deals with other infectious diseases. The proposed presumption would apply to members in county service during the period of March 19, 2020—July 5, 2020 who are considered essential workers and were unable to shelter in place by working remotely.

Beginning July 6, 2020, the workers' compensation presumption expired. However, SB 1159 extends the presumption on and after this date for safety members and certain health care workers whose jobs require contact with members of the public potentially infected with the coronavirus. The proposed disability retirement presumption follows this rationale by designating county workers whose jobs cannot be done remotely but require contact with the public and who may be at higher risk of contracting COVID-19.

If this proposal is enacted in the 2021 legislative year, it will be effective January 1, 2022. However, there may be disability retirement applications for COVID-19-related illnesses that are filed before the effective date of the presumption. The proposal would provide that the presumption applies to new and pending applications as of the effective date and that the board may reconsider COVID-19-related applications that were denied before the effective date.

3. Specific language that you would like changed in, or added to, '37 Act Law, and suggested code section numbers.

Add a new Section 31720.10:

(a) If a member becomes ill or dies due to a COVID-19-related illness, the illness so developing or manifesting itself in those cases shall be presumed to arise out of, and in the course of, employment. The illness so developing or manifesting itself in those cases shall in no case be attributed to any illness

existing prior to that development or manifestation.

(b) Any member described in subdivision (a) permanently incapacitated for the performance of duty as a result of a COVID-19-related illness shall receive a service-connected disability retirement.

(c) The presumption described in subdivision (a) is rebuttable by other evidence. Unless so rebutted, the board is bound to find in accordance with the presumption. The presumption shall be extended to a member following termination of service for a period of 14 days.

(d) “COVID-19” means the coronavirus disease 2019 caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(e) “Member” means a person—

(1) (A) in county service on or after March 19, 2020, and on or before July 5, 2020, who was designated by the State Public Health Officer in a list of essential critical infrastructure workers in accordance with the Governor’s Executive Order of March 19, 2020 (Executive Order N-33-20); and

(B) who is diagnosed with COVID-19 within 14 days after a day on or after March 19, 2020, and on or before July 5, 2020 that the person performed labor or services at the person’s place of employment at the employer’s direction. For the purpose of this subdivision, “person’s place of employment” does not include a person’s home or residence.

(2) (A) in county service on or after July 6, 2020, who is a safety member, firefighter, member active in law enforcement, county probation officer, nurse or physician who provides direct patient care at a health facility, or a custodial employee in contact with COVID-19 patients at a health facility; and

(B) who is diagnosed with COVID-19 within 14 days on or after July 6, 2020 that the person performed labor or services at the person’s place of employment at the employer’s direction. For the purpose of this subdivision, “person’s place of employment” does not include a person’s home or residence.

(f) This section applies to new and pending applications for disability retirement. This section also applies to applications for disability retirement due to COVID-19 that the board denied prior to the effective date of this section but in its discretion may reconsider after the effective date of this section.

4. Why should the proposed legislation be sponsored by SACRS rather than by your individual retirement association?

The current disability retirement presumptions apply to all SACRS systems and not just to any individual retirement system. The proposed presumption would also apply to all SACRS systems.



5. Do you anticipate that the proposed legislation would create any major problems such as conflicting with Proposition 162 or create a problem with any of the other 19 SACRS retirement associations?

The proposed legislation should not cause any conflicts with Proposition 162 or any administrative issues with the other SACRS retirement associations.

6. Who will support or oppose this proposed change in the law?

Support: labor organizations. Opposition: plan sponsors and plan sponsor organizations such as the California State Association of Counties, Urban Counties of California, and Rural County Representatives of California.

7. Who will be available from your association to testify before the Legislature?

Barry Lew and Joe Ackler.

Email or mail your legislative proposals to:

Mike Robson and Trent Smith  
Edelstein, Gilbert, Robson, & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:

[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)  
[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

# COVID-19 Presumption for Disability Retirement Fact Sheet

## **Summary**

The County Employees Retirement Law of 1937 currently has four presumptions that certain injuries and diseases arise out of and in the course of employment for purposes of determining a service-connected disability retirement for certain members: heart trouble, cancer, blood-borne infectious diseases, and exposure to biochemical substances.

This proposal would establish an additional presumption for certain members who apply for disability retirement due to COVID-19 that the disease arose out of and in the course of employment.

## **Background**

Members who apply for service-connected disability retirement generally have the burden of proving that their permanent incapacity was the result of injury or disease arising out of and in the course of employment and that the employment contributed substantially to the incapacity.

### **Presumption of Service Connection**

For certain injuries and diseases, presumptions exist under the rationale that those injuries and diseases appear to be service-connected but would be difficult for members to prove as being service-connected. Although the presumption relates to the service connection of the injury or disease, members are never presumed to be permanently incapacitated and have the burden of proving permanent incapacity.

### **Disability Retirement Benefits**

A disability retirement provides benefits to members whose careers are cut short by permanent incapacity and who may not qualify for a service retirement. However, for those disabled members who are eligible for a service retirement, their disability retirement benefit may be equal to a service retirement benefit.

Service-connected disability retirement: the benefit is the greater of 50 percent of final compensation or a service retirement benefit. The benefit is tax excludable, and survivors receive 100 percent of the benefit.

Nonservice-connected disability retirement: the benefit is the greater of a service retirement

benefit or, depending on the member's age and service, a benefit that is up to 1/3 of final compensation. The benefit is not tax excludable, and survivors receive 60 percent of the benefit.

## **Issue**

Members who contract COVID-19 on the job and become permanently incapacitated may be granted a service-connected disability retirement.

Given the challenges of contact tracing due to the increasingly widespread nature of the COVID-19 pandemic, there may be cases where certain members in high-risk jobs contracted COVID-19 at work and became permanently incapacitated but have difficulty proving that the disease arose out of and in the course of employment.

## **Solution**

A rebuttable presumption related to COVID-19 would provide that certain members who contracted COVID-19 are presumed to have contracted the disease arising out of and in the course of employment, unless the presumption is controverted by other evidence.

The presumption would apply to members who were essential workers during the time period defined in Governor Newsom's Executive Order N-62-20 (March 19, 2020 – July 5, 2020), which provided a presumption for COVID-19 for workers' compensation claims. Beginning July 6, 2020, it would apply to safety members and certain health care workers who may be at higher risk of contracting COVID-19 because their jobs cannot be performed remotely and require frequent contact with members of the public.

The proposal would apply to new and pending disability retirement applications as of its effective date of enactment into law and would provide that a retirement board may reconsider COVID-19-related applications that were denied prior to the effective date.

## **Contact**

Barry Lew, LACERA  
[blew@lacera.com](mailto:blew@lacera.com)

October 15, 2020

TO: Each Trustee  
Board of Retirement

FROM: Insurance, Benefits and Legislative Committee  
Les Robbins, Chair  
Vivian H. Gray, Vice Chair  
Wayne Moore  
Ronald A. Okum  
Shawn R. Kehoe, Alternate

FOR: November 4, 2020 Board of Retirement Meeting

SUBJECT: **PROVIDE VOTING DIRECTIONS ON SACRS 2021 LEGISLATIVE PROPOSALS**

## **RECOMMENDATION**

That the Board of Retirement direct its voting delegate to vote YES on sponsorship by the State Association of County Retirement Systems (SACRS) of "COVID-19 Disability Retirement Presumption" for the SACRS 2021 legislative platform.

## **DISCUSSION**

Each year, the 20 retirement systems operating under the County Employees Retirement Law of 1937 (CERL) are asked to submit proposals to the SACRS Legislative Committee for sponsorship in the annual SACRS legislative platform. The items submitted should have application to all CERL systems rather than an individual system; they should not propose new benefits that will be paid for by the plan sponsor; and they should not create major issues, such as conflicts with Proposition 162 or with any of the 19 other CERL retirement systems.

The SACRS Legislative Committee received three proposals for inclusion in the SACRS 2021 legislative platform, which were all submitted by LACERA, and discussed the proposals at its meeting of September 18, 2020.

## **COVID-19 Disability Retirement Presumption (LACERA)**

- *SACRS Legislative Committee Recommendation: **Decline to Sponsor.***
- *Staff Recommendation: **Vote YES to Sponsor.***
- *IBLC Recommendation: **Vote YES to Sponsor.***

This proposal was approved for submission to SACRS by the Board of Retirement at its meeting of September 2, 2020. Attached is the board memo for that meeting that discusses the background, issue, and proposed solution for a disability retirement presumption for COVID-19.

The SACRS Legislative Committee recommended that SACRS decline to sponsor the proposal for “COVID-19 Disability Retirement Presumption.” The recommendation by the SACRS Legislative Committee is an advisory recommendation. Regardless of the recommendation, the proposal will be presented to the full SACRS membership for a vote by each system’s voting delegate at the Business Meeting of the SACRS 2020 Fall Conference on November 13, 2020.

**Disability Retirement Option Change & Clarifying and Technical Amendments**

The SACRS Legislative Committee considered the other two proposals submitted by LACERA to be technical proposals that were noncontroversial and recommended that they be included in an omnibus housekeeping bill that the committee intends to formulate for every two-year legislative cycle. These proposals will be incorporated into a list of other clarifying and technical amendments currently being developed for the 2021-22 legislative cycle that the committee intends to present to the SACRS membership for approval at the Business Meeting of the SACRS 2021 Fall Conference. Therefore, directions for LACERA’s voting delegate are not necessary at this time for these two proposals.

**IT IS THEREFORE RECOMMENDED THAT THE BOARD** direct its voting delegate to vote YES on sponsorship by the State Association of County Retirement Systems (SACRS) of “COVID-19 Disability Retirement Presumption” for the SACRS 2021 legislative platform.

**Attachments**

Disability Retirement Presumption: COVID-19 (Memo dated August 24, 2020)  
SACRS 2021 Legislative Platform Worksheet: Disability Retirement Option Change  
SACRS 2021 Legislative Platform Worksheet: Clarifying and Technical Amendments

|     |                    |                                 |
|-----|--------------------|---------------------------------|
| cc: | Santos H. Kreimann | Frank Boyd                      |
|     | JJ Popowich        | Vincent Lim                     |
|     | Steven P. Rice     | Joe Ackler, Ackler & Associates |
|     | Ricki Contreras    |                                 |

August 24, 2020

TO: Each Member  
Board of Retirement

FROM: Insurance, Benefits and Legislative Committee  
Les Robbins, Chair  
Vivian H. Gray, Vice Chair  
Wayne Moore  
Ronald A. Okum  
Shawn R. Kehoe, Alternate

FOR: September 2, 2020 Board of Retirement Meeting

SUBJECT: **Disability Retirement Presumption: COVID-19**

## **RECOMMENDATION**

That the Board of Retirement approve submission of a legislative proposal for inclusion in the SACRS 2021 Legislative Platform to amend the County Employees Retirement Law of 1937 to provide for a COVID-19 presumption for disability retirement.

## **LEGISLATIVE POLICY STANDARD**

LACERA's Legislative Policy does not contain a legislative policy standard related to creating an additional presumption for disability retirement. Therefore, whether the BOR should propose an additional presumption in the County Employees Retirement Law of 1937 (CERL) for disability retirement is subject to determination by the BOR.

## **BACKGROUND**

At the Board of Retirement's (BOR) meeting of June 3, 2020, LACERA's state legislative advocates, Joe Ackler (Ackler & Associates) and Naomi Padron (McHugh Koepke & Associates) provided an update on recent developments in the California Legislature and Office of the Governor regarding the pandemic and the state budget. The update included discussions of current legislation related to COVID-19 presumptions under workers' compensation. The BOR requested that staff work with the state legislative advocates on the possibility of including frontline workers in a COVID-19 presumption for disability retirement that would apply to retirement systems operating under CERL.

At the Insurance, Benefits and Legislative Committee's (IBLC) meeting of August 13, 2020, the IBLC discussed staff's memo on whether the IBLC should recommend that the BOR propose an additional presumption in CERL for disability retirement. The IBLC directed staff to formulate a proposal for inclusion in the State Association of County Retirement Systems (SACRS) 2021 Legislative Platform that would provide for a COVID-19 presumption in CERL.

Each year, the 20 retirement systems operating under CERL are asked to submit proposals to the SACRS Legislative Committee for sponsorship in the SACRS Legislative Platform. The items submitted should have applicability to all CERL systems rather than

an individual system; they should not propose new benefits that will be paid for by the plan sponsor; and they should not create major issues, such as conflicts with Proposition 162 or with any of the 19 other CERL retirement systems.

### **CURRENT LAW**

Government Code Section 31720.5 provides a rebuttable presumption related to heart trouble for disability retirement. The presumption applies to safety members, fireman members, and members in active law enforcement.

Government Code Section 31720.6 provides a disputable presumption related to cancer for disability retirement. The presumption applies to safety members, firefighters, or members in active law enforcement.

Government Code Section 31720.7 provides a rebuttable presumption related to blood-borne infectious disease or a methicillin-resistant *Staphylococcus aureus* skin infection for disability retirement. The presumption applies to safety members, firefighters, county probation officers, and members in active law enforcement.

Government Code Section 31720.9 provides a rebuttable presumption related to exposure to biochemical substances for disability retirement. The presumption applies to peace officer members and firefighter members.

### **ISSUE**

A member who applies for service-connected disability retirement generally has the burden of proving that his or her permanent incapacity was the result of injury or disease arising out of and in the course of employment and that the employment contributed substantially to the incapacity.

However, for certain diseases and injuries, presumptions exist under the rationale that those diseases and injuries appear to be service-connected but would be difficult for a member to prove as being service-connected.

Given the challenges of contact tracing<sup>1</sup> due to the increasingly widespread nature<sup>2</sup> of the COVID-19 pandemic, there may be cases where members contracted COVID-19 and became permanently incapacitated but have difficulty proving that the disease arose out of and in the course of employment.

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<sup>1</sup> Steinhauer, J., & Goodnough, A. (2020, July 31). Contact Tracing Is Failing in Many States. Here's Why. *New York Times*. <https://www.nytimes.com/2020/07/31/health/covid-contact-tracing-tests.html>; Petersen, M. (2020, July 31). L.A. County's Tracing Team Repeatedly Failed to Detect Coronavirus Outbreaks at Workplaces. *Los Angeles Times*. <https://www.latimes.com/california/story/2020-07-31/la-contact-tracers-struggle-to-keep-up-with-coronavirus-cases>

<sup>2</sup> The Johns Hopkins Center for Health Security. (2020, July 29). *Resetting Our Response: Changes Needed in the US Approach to COVID-19*. [https://www.centerforhealthsecurity.org/our-work/pubs\\_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf](https://www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf)

## **PROPOSED SOLUTION**

A rebuttable presumption related to a service-connected permanent incapacity due to COVID-19 would provide that members are presumed to have contracted COVID-19 arising out of and in the course of employment, unless the presumption is controverted by other evidence.

Although an award of workers' compensation benefits does not necessarily mean that a member also qualifies for disability retirement benefits under CERL, courts have found that the two types of benefits are related in subject matter and harmonious in purpose.

There are currently three workers' compensation bills (AB 196, AB 664, and SB 1159) in the California Legislature that provide a disputable presumption for COVID-19-related injuries that can assist us in the formulation of a new disability retirement presumption. Each bill uses different approaches as noted in the staff memo dated August 4, 2020 to the IBLC. However, SB 1159 appears to be the most comprehensive of the three bills in that it codifies Governor Newsom's Executive Order N-62-20, which provided a COVID-19 presumption for workers' compensation benefits for a specified period of time that has since expired for essential workers, and provides a presumption after that period for employees who are safety members and health care workers whose jobs cannot be done remotely and require contact with members of the public and who may be at higher risk of contracting COVID-19.

Therefore, the proposed COVID-19 presumption for disability retirement in CERL is modeled after the provisions of SB 1159 and CERL's existing disability retirement presumption that deals with other infectious diseases. The proposed presumption would apply to members in county service during the period of March 19, 2020—July 5, 2020 who are considered essential workers and were unable to shelter in place by working remotely.

Beginning July 6, 2020, the workers' compensation presumption expired. However, SB 1159 extends the presumption on and after this date for safety members and certain health care workers whose jobs require contact with members of the public potentially infected with the coronavirus. The proposed disability retirement presumption follows this rationale by designating county workers whose jobs cannot be done remotely but require contact with the public and who may be at higher risk of contracting COVID-19.

If this proposal is enacted in the 2021 legislative year, it will be effective January 1, 2022. However, there may be disability retirement applications for COVID-19-related illnesses that are filed before the effective date of the presumption. The proposal would provide that the presumption applies to new and pending applications as of the effective date and that the board may reconsider COVID-19-related applications that were denied before the effective date.

## CONSIDERATIONS

- Establishing a disability retirement presumption is a plan design issue since it establishes eligibility criteria for a benefit. Plan design changes have generally been proposed by either the plan sponsor or employee organizations.
- COVID-19 is a new infectious disease for which there are currently no drugs or other therapeutics approved by the U.S. Food and Drug Administration.<sup>3</sup> There are treatment guidelines that exist for clinical management, but they continue to evolve as more data and research on the disease become available.<sup>4</sup> Thus, the extent to which COVID-19 causes permanent incapacity also continues to evolve.
- The disability retirement presumptions in CERL have historically been sponsored by safety member organizations. LACERA's state legislative advocate indicates that employee organizations are considering this issue and may sponsor a proposal for a disability retirement presumption on COVID-19 in the 2021 legislative year.
- Absent a presumption, demonstrating work-related causation for infectious disease requires showing that the risk of contracting the disease on the job is greater than the risk to which members of the general community are exposed.
- The County of Los Angeles' state legislative agenda is to oppose legislation that creates new presumptions related to service-connected disability retirement and to oppose legislation eliminating requirements to demonstrate on-the-job exposure in order to qualify for service-connected disability retirement benefits.

**IT IS THEREFORE RECOMMENDED THAT THE BOARD** approve submission of a legislative proposal for inclusion in the SACRS 2021 Legislative Platform to amend the County Employees Retirement Law of 1937 to provide for a COVID-19 presumption for disability retirement.

## ATTACHMENTS

SACRS 2021 Legislative Platform Worksheet  
IBLC memo dated August 4, 2020

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<sup>3</sup> Centers for Disease Control and Prevention. (2020, April 25). Information for Clinicians on Investigational Therapeutics for Patients with COVID-19. Retrieved August 21, 2020 from <https://www.cdc.gov/coronavirus/2019-ncov/hcp/therapeutic-options.html>

<sup>4</sup> National Institutes of Health. (2020, July 17). COVID-19 Treatment Guidelines. Retrieved August 21 2020 from <https://www.covid19treatmentguidelines.nih.gov/introduction/>





**TO:** SACRS ADMINISTRATORS AND RETIREMENT BOARD CHAIRS

**FROM:** Mike Robson and Trent Smith on behalf of SACRS Legislative Committee

**SUBJECT:** **SACRS 2021 LEGISLATIVE TIMELINES**

If you intend to propose legislation to be sponsored by SACRS, please return your request, EXPLAINED ON THE ATTACHED WORKSHEET, before August 30, 2020 to:

Mike Robson & Trent Smith  
Edelstein, Gilbert, Robson & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:  
[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)  
[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

SACRS also encourages the use of the Legislative Proposal survey found on the SACRS website. <https://www.surveymonkey.com/r/sacrslegislativeproposals>

Below is the SACRS Legislative Committee calendar for soliciting legislative proposals from SACRS retirement associations for consideration in the 2021 Legislative Session:

July 3, 2020

Emailing of Committee request that retirement associations submit proposals for inclusion in the SACRS 2021 Legislative Platform.

August 30, 2020

Deadline for requests to be received by Edelstein, Gilbert, Robson & Smith LLC.

September 18, 2020

Date of Legislative Committee meeting at which requests will be discussed.

October 16, 2020

Legislative Committee will submit proposals, (both those that the Legislative Committee recommends by inclusion in SACRS Legislative Platform, and other proposals received) to all retirement associations for consideration.

November 13, 2020

Those legislative proposals recommended by the Legislative Committee, as well as other proposals, will be discussed at the SACRS Fall Conference.

**2021 SACRS LEGISLATIVE PLATFORM WORKSHEET**  
**PLEASE COMPLETE AND RETURN BY AUGUST 30, 2020**

Title of Issue: COVID-19 Disability Retirement Presumption

Association: LACERA

Contact Person: Barry Lew

Phone #: 626-564-2370

Fax #: N/A

Please answer the following questions as fully as possible:

1. Description of issue.

A member who applies for service-connected disability retirement generally has the burden of proving that his or her permanent incapacity was the result of injury or disease arising out of and in the course of employment and that the employment contributed substantially to the incapacity.

However, for certain diseases and injuries, presumptions exist under the rationale that those diseases and injuries appear to be service-connected but would be difficult for a member to prove as being service-connected.

Given the challenges of contact tracing<sup>1</sup> due to the increasingly widespread nature<sup>2</sup> of the COVID-19 pandemic, there may be cases where members contracted COVID-19 and became permanently incapacitated but have difficulty proving that the disease arose out of and in the course of employment.

2. Recommended solution.

A rebuttable presumption related to a service-connected permanent incapacity due to COVID-19 would provide that members are presumed to have contracted COVID-19 arising out of and in the course of employment, unless the presumption is controverted by other evidence.

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<sup>1</sup> Steinhauer, J., & Goodnough, A. (2020, July 31). Contact Tracing Is Failing in Many States. Here's Why. *New York Times*. <https://www.nytimes.com/2020/07/31/health/covid-contact-tracing-tests.html>; Petersen, M. (2020, July 31). L.A. County's Tracing Team Repeatedly Failed to Detect Coronavirus Outbreaks at Workplaces. *Los Angeles Times*. <https://www.latimes.com/california/story/2020-07-31/la-contact-tracers-struggle-to-keep-up-with-coronavirus-cases>

<sup>2</sup> The Johns Hopkins Center for Health Security. (2020, July 29). *Resetting Our Response: Changes Needed in the US Approach to COVID-19*. [https://www.centerforhealthsecurity.org/our-work/pubs\\_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf](https://www.centerforhealthsecurity.org/our-work/pubs_archive/pubs-pdfs/2020/200729-resetting-our-response.pdf)

Although an award of workers' compensation benefits does not necessarily mean that a member also qualifies for disability retirement benefits under CERL, courts have found that the two types of benefits are related in subject matter and harmonious in purpose.

There are currently three workers' compensation bills (AB 196, AB 664, and SB 1159) in the California Legislature that provide a disputable presumption for COVID-19-related injuries that can assist us in the formulation of a new disability retirement presumption. Each bill uses different approaches as noted in the staff memo dated August 4, 2020 to the IBLC. However, SB 1159 appears to be the most comprehensive of the three bills in that it codifies Governor Newsom's Executive Order N-62-20, which provided a COVID-19 presumption for workers' compensation benefits for a specified period of time that has since expired for essential workers, and provides a presumption after that period for employees who are safety members and health care workers whose jobs cannot be done remotely and require contact with members of the public and who may be at higher risk of contracting COVID-19.

Therefore, the proposed COVID-19 presumption for disability retirement in CERL is modeled after the provisions of SB 1159 and CERL's existing disability retirement presumption that deals with other infectious diseases. The proposed presumption would apply to members in county service during the period of March 19, 2020—July 5, 2020 who are considered essential workers and were unable to shelter in place by working remotely.

Beginning July 6, 2020, the workers' compensation presumption expired. However, SB 1159 extends the presumption on and after this date for safety members and certain health care workers whose jobs require contact with members of the public potentially infected with the coronavirus. The proposed disability retirement presumption follows this rationale by designating county workers whose jobs cannot be done remotely but require contact with the public and who may be at higher risk of contracting COVID-19.

If this proposal is enacted in the 2021 legislative year, it will be effective January 1, 2022. However, there may be disability retirement applications for COVID-19-related illnesses that are filed before the effective date of the presumption. The proposal would provide that the presumption applies to new and pending applications as of the effective date and that the board may reconsider COVID-19-related applications that were denied before the effective date.

3. Specific language that you would like changed in, or added to, '37 Act Law, and suggested code section numbers.

Add a new Section 31720.10:

(a) If a member becomes ill or dies due to a COVID-19-related illness, the illness so developing or manifesting itself in those cases shall be presumed to arise out of, and in the course of, employment. The illness so developing or manifesting itself in those cases shall in no case be attributed to any illness

existing prior to that development or manifestation.

(b) Any member described in subdivision (a) permanently incapacitated for the performance of duty as a result of a COVID-19-related illness shall receive a service-connected disability retirement.

(c) The presumption described in subdivision (a) is rebuttable by other evidence. Unless so rebutted, the board is bound to find in accordance with the presumption. The presumption shall be extended to a member following termination of service for a period of 14 days.

(d) “COVID-19” means the coronavirus disease 2019 caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(e) “Member” means a person—

(1) (A) in county service on or after March 19, 2020, and on or before July 5, 2020, who was designated by the State Public Health Officer in a list of essential critical infrastructure workers in accordance with the Governor’s Executive Order of March 19, 2020 (Executive Order N-33-20); and

(B) who is diagnosed with COVID-19 within 14 days after a day on or after March 19, 2020, and on or before July 5, 2020 that the person performed labor or services at the person’s place of employment at the employer’s direction. For the purpose of this subdivision, “person’s place of employment” does not include a person’s home or residence.

(2) (A) in county service on or after July 6, 2020, who is a safety member, firefighter, member active in law enforcement, county probation officer, nurse or physician who provides direct patient care at a health facility, or a custodial employee in contact with COVID-19 patients at a health facility; and

(B) who is diagnosed with COVID-19 within 14 days on or after July 6, 2020 that the person performed labor or services at the person’s place of employment at the employer’s direction. For the purpose of this subdivision, “person’s place of employment” does not include a person’s home or residence.

(f) This section applies to new and pending applications for disability retirement. This section also applies to applications for disability retirement due to COVID-19 that the board denied prior to the effective date of this section but in its discretion may reconsider after the effective date of this section.

4. Why should the proposed legislation be sponsored by SACRS rather than by your individual retirement association?

The current disability retirement presumptions apply to all SACRS systems and not just to any individual retirement system. The proposed presumption would also apply to all SACRS systems.

5. Do you anticipate that the proposed legislation would create any major problems such as conflicting with Proposition 162 or create a problem with any of the other 19 SACRS retirement associations?

The proposed legislation should not cause any conflicts with Proposition 162 or any administrative issues with the other SACRS retirement associations.

6. Who will support or oppose this proposed change in the law?

Support: labor organizations. Opposition: plan sponsors and plan sponsor organizations such as the California State Association of Counties, Urban Counties of California, and Rural County Representatives of California.

7. Who will be available from your association to testify before the Legislature?

Barry Lew and Joe Ackler.

Email or mail your legislative proposals to:

Mike Robson and Trent Smith  
Edelstein, Gilbert, Robson, & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:

[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)

[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

August 4, 2020

TO: Insurance, Benefits and Legislative Committee  
Les Robbins, Chair  
Vivian H. Gray, Vice Chair  
Wayne Moore  
Ronald A. Okum  
Shawn R. Kehoe, Alternate

FROM: Barry W. Lew   
Legislative Affairs Officer

FOR: August 13, 2020 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Disability Retirement Presumption: COVID-19**

## **RECOMMENDATION**

That the Insurance, Benefits and Legislative Committee consider whether to recommend that the Board of Retirement propose an amendment to the County Employees Retirement Law of 1937 to provide for a COVID-19 presumption for disability retirement.

## **BACKGROUND**

At the Board of Retirement's (BOR) meeting of June 3, 2020, LACERA's state legislative advocates, Joe Ackler (Ackler & Associates) and Naomi Padron (McHugh Koepke & Associates) provided an update on recent developments in the California Legislature and Office of the Governor regarding the pandemic and the state budget. The update included discussions of current legislation related to COVID-19 presumptions under workers' compensation. The BOR requested that staff work with the state legislative advocates on the possibility of including frontline workers in a COVID-19 presumption for disability retirement that would apply to retirement systems operating under the County Employees Retirement Law of 1937 (CERL).

Although LACERA members may be granted disability retirement due to permanent incapacity from COVID-19, the issue is whether the burden of proof for permanent incapacity should be presumed and whether the presumption should be rebuttable. This memo is a discussion of various issues and factors that need to be considered if staff is directed to formulate a legislative proposal.

## **LEGISLATIVE POLICY STANDARD**

LACERA's Legislative Policy does not contain a legislative policy standard related to creating an additional presumption for disability retirement. Therefore, whether the BOR should propose an additional presumption in CERL for disability retirement is subject to determination by the BOR.

## **CURRENT LAW**

Government Code Section 31720.5 provides a rebuttable presumption related to heart trouble for disability retirement. The presumption applies to safety members, fireman members, and members in active law enforcement.

Government Code Section 31720.6 provides a disputable presumption related to cancer for disability retirement. The presumption applies to safety members, firefighters, or members in active law enforcement.

Government Code Section 31720.7 provides a rebuttable presumption related to blood-borne infectious disease or a methicillin-resistant *Staphylococcus aureus* skin infection for disability retirement. The presumption applies to safety members, firefighters, county probation officers, and members in active law enforcement.

Government Code Section 31720.9 provides a rebuttable presumption related to exposure to biochemical substances for disability retirement. The presumption applies to peace officer members and firefighter members.

## **DISCUSSION**

### *Sponsorship*

The current disability retirement presumptions<sup>1</sup> related to cancer, blood-borne disease, and biochemical substances were sponsored by safety member organizations. The legislative proposals were primarily supported by safety member organizations. Opposition came from plan sponsor organizations. Proposing another disability retirement presumption would be a plan design and benefit structure issue that this Committee and the BOR should consider as to whether it falls within LACERA's purview as a plan administrator.

Staff inquired with LACERA's state legislative advocates, County of Los Angeles staff for compensation matters, and staff at an employee organization and did not receive indications that any employee organizations are currently sponsoring legislation on a new disability retirement presumption.

At its meeting in April 17, 2020, the State Association of County Retirement Systems (SACRS) Legislative Committee discussed the issue of sponsoring a disability retirement presumption for COVID-19. Some committee members noted that this may be considered a benefit enhancement that is not appropriate for SACRS to sponsor. However, the committee chair noted that SACRS member systems may submit any proposals for consideration by the committee and to be voted on by the member systems.

### *Members Covered*

Frontline workers, essential workers, critical workers, public safety officers...who should be covered? The simple answer may be all members. However, if LACERA's potential

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<sup>1</sup> The heart presumption was originally enacted in 1951, and its original legislative history was not available online.

proposal does not cover all members and compromises may need to be made due to opposition, LACERA may be in a sensitive position of proposing and advocating benefits for only certain slices of its membership.

Governor Newsom’s Executive Order N-62-20 was issued on May 6, 2020 and created a presumption related to COVID-19 for workers’ compensation benefits. The order applied to dates of injury occurring through 60 days of the order. The order applied to employees who reported to work locations and are on a list of “Essential Critical Infrastructure Workers” designated by the State Public Health Officer pursuant to Executive Order N-33-20.

The Governor’s Executive Order has since expired on July 5, 2020. There are no indications that he will extend the order, and currently workers’ compensation presumptions related to COVID-19 have been proposed in state and federal legislation. However, the legislation is not consistent with respect to who should be entitled to the presumption as listed below. LACERA would need to decide whether any potential proposal would cover all members or a defined subset of members.

| <b>BILL</b>                      | <b>EMPLOYEES COVERED</b>   |
|----------------------------------|--|
| AB 196 (Gonzalez)                | Employees deemed essential in Executive Order N-33-20. However, the bill does not apply to firefighters, peace officers, certain health care employees, and fire and rescue services coordinators.   |
| AB 664 (Cooper, Bonta, Gonzalez) | Firefighters, peace officers, certain health care employees, and fire and rescue services coordinators.  |
| SB 893 (Caballero)               | Hospital employees.  |
| SB 1159 (Hill)                   | Any employee with a COVID-19-related illness (provision in effect until 1/1/2024); state and local firefighting members including certain firefighters on federal locations, peace officers engaged in active law enforcement, fire and rescue services coordinators, nurses, physicians, emergency medical technicians (provision in effect until 7/1/2024); employers with five or more employees not within the previous categories (provision in effect until 7/1/2024). |
| S 3607 (Grassley)                | Public safety officers.  |

#### Coverage Window and Conclusiveness

The current state and federal legislative proposals also differ in terms of who is covered based on when labor or services were performed resulting in an injury that would qualify for coverage as well as the conclusiveness of the presumption. LACERA would need to



decide whether any potential proposal should specify a period in which an injury occurred that would qualify for coverage and whether the presumption is rebuttable.

| <b>BILL</b>                            | <b>INJURY PERIOD</b>  | <b>PRESUMPTION TYPE</b> |
|--|---|-------------------------|
| AB 196<br>(Gonzalez)                   | On or after March 1, 2020   | Conclusive              |
| AB 664<br>(Cooper, Bonta,<br>Gonzalez) | On or after January 1, 2020   | Rebuttable              |
| SB 893<br>(Caballero)                  | No specified date or period   | Rebuttable              |
| SB 1159 (Hill)                         | March 19, 2020 to July 5, 2020<br>(provision in effect until 1/1/2024);<br>on or after July 6, 2020 (provision in<br>effect until 7/1/2024) | Rebuttable              |
| S 3607<br>(Grassley)                   | January 1, 2020 to December 31,<br>2021   | Not specified           |

**IT IS THEREFORE RECOMMENDED THAT THE COMMITTEE** consider whether to recommend that the Board of Retirement propose an amendment to the County Employees Retirement Law of 1937 (CERL) to provide for a COVID-19 presumption for disability retirement.

**Reviewed and Approved:**



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**Steven P. Rice, Chief Counsel**

cc: Santos H. Kreimann  
JJ Popowich  
Steven P. Rice  
Frank Boyd  
Ricki Contreras  
Joe Ackler, Ackler & Associates  
Naomi Padron, McHugh Koepke & Associates



**TO:** SACRS ADMINISTRATORS AND RETIREMENT BOARD CHAIRS

**FROM:** Mike Robson and Trent Smith on behalf of SACRS Legislative Committee

**SUBJECT:** **SACRS 2021 LEGISLATIVE TIMELINES**

If you intend to propose legislation to be sponsored by SACRS, please return your request, EXPLAINED ON THE ATTACHED WORKSHEET, before August 30, 2020 to:

Mike Robson & Trent Smith  
Edelstein, Gilbert, Robson & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:  
[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)  
[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

SACRS also encourages the use of the Legislative Proposal survey found on the SACRS website. <https://www.surveymonkey.com/r/sacrslegislativeproposals>

Below is the SACRS Legislative Committee calendar for soliciting legislative proposals from SACRS retirement associations for consideration in the 2021 Legislative Session:

July 3, 2020

Emailing of Committee request that retirement associations submit proposals for inclusion in the SACRS 2021 Legislative Platform.

August 30, 2020

Deadline for requests to be received by Edelstein, Gilbert, Robson & Smith LLC.

September 18, 2020

Date of Legislative Committee meeting at which requests will be discussed.

October 16, 2020

Legislative Committee will submit proposals, (both those that the Legislative Committee recommends by inclusion in SACRS Legislative Platform, and other proposals received) to all retirement associations for consideration.

November 13, 2020

Those legislative proposals recommended by the Legislative Committee, as well as other proposals, will be discussed at the SACRS Fall Conference.

**2021 SACRS LEGISLATIVE PLATFORM WORKSHEET**  
**PLEASE COMPLETE AND RETURN BY AUGUST 30, 2020**

Title of Issue: Disability Retirement Option Change

Association: LACERA

Contact Person: Barry Lew

Phone #: 626-564-2370

Fax #: N/A

Please answer the following questions as fully as possible:

1. Description of issue.

SB 2137 was enacted in 1998 and amended Section 31725.7. It was sponsored by SACRS and included among other provisions the ability of a member who applied for disability retirement and then retired for service to change his or her benefit option if granted disability retirement; the survivor was provided this ability if the member died prior to the disability retirement determination.

AB 992 was enacted in 2015 and amended Section 31760. It was sponsored by SACRS and clarified that although a member generally has until the first payment of a retirement allowance to change a benefit option, he or she may change the option elected at the time a service retirement was granted pending determination of disability retirement, if he or she is subsequently granted disability retirement.

Section 31722 allows a member to file a disability retirement application while the member is in service, within four months after discontinuance of service, within four months after the expiration of any period during which a presumption is extended beyond his or her discontinuance of service, or while, from the date of discontinuance of service to the time of the application, he or she is continuously physically or mentally incapacitated to perform his or her duties.

If a member retires for service and thereby discontinues service by ceasing to work for a salary from which deductions are made, he or she may still be eligible for disability retirement by filing a disability retirement application that meets a specified filing period under Section 31722. Members retired for service are not precluded from filing a disability retirement application.

If such a member who retired for service is found to be eligible for disability retirement, appropriate adjustments are also made retroactive to the effective date of disability retirement. However, the member is not eligible to change the option that was chosen when he or she retired for service to apply to the disability retirement benefit, even though the member's disability retirement benefit may begin on or

before the service retirement date due to the fact that the member may be eligible for an earlier effective date of disability retirement.

Section 31725.7 only allows a benefit option change for members who retired for service after filing a disability retirement application but does not provide the same ability for those who retired for service before filing an application, even though both members may subsequently be granted a disability retirement.

## 2. Recommended solution.

In order for members and survivors to change their service retirement benefit option upon the granting of a disability retirement, Section 31725.7 must be amended to provide for that ability. Section 31760 must also be amended to account for this exception to the general rule of allowing benefit option changes until the first payment of a retirement allowance.

Section 31725.7 was originally enacted to lessen the financial burden on members who apply for disability retirement but whose applications may require an extended period of time to adjudicate by allowing them to retire for service in the meantime. It was later amended to provide flexibility for these members who were granted disability retirement to change their retirement option. Since the amount of a service retirement allowance and continuance may be different from a disability retirement allowance and continuance, members consider the benefit option that best meets their financial situation based on their retirement status.

However, Section 31725.7 does not account for the fact that members may also be able to file a disability retirement application after retiring for service. Such members also experience a change in retirement status by being granted disability retirement but are not afforded the same opportunity to change the benefit option. The member is not treated equally as of the effective date of disability retirement in being able to change the benefit option.

The proposed amendments would enable the member to receive the highest possible benefit as of the effective date of disability retirement, regardless when the disability application was actually filed. It would treat members equally due to a change in their retirement status as a result of being granted a disability retirement. It would replace the service retirement benefit with a disability retirement benefit as of the disability effective date since members cannot receive both types of benefits for the same period of time; however, any service retirement benefits received before the disability effective date would not be adjusted.

## 3. Specific language that you would like changed in, or added to, '37 Act Law, and suggested code section numbers.

31725.7.

(a) At any time after filing an application for disability retirement with the board, the member may, if eligible, apply for, and the board in its discretion may grant, a service retirement allowance pending the determination of his or

her entitlement to disability retirement. If he or she is found to be eligible for disability retirement, appropriate adjustments shall be made in his or her retirement allowance retroactive to the effective date of his or her disability retirement as provided in Section 31724.

(b) Notwithstanding subdivision (a), this section shall also apply to a member retired for service who subsequently files an application for disability retirement with the board. If he or she is found to be eligible for disability retirement, appropriate adjustments shall be made in his or her retirement allowance retroactive to the effective date of his or her disability retirement as provided in Section 31724. This subdivision shall only apply to members whose effective date of disability retirement is on or after January 1, 2022.

~~(b)~~(c) This section shall not be construed to authorize a member to receive more than one type of retirement allowance for the same period of time nor to entitle any beneficiary to receive benefits which the beneficiary would not otherwise have been entitled to receive under the type of retirement which the member is finally determined to have been entitled. In the event a member retired for service is found not to be entitled to disability retirement he or she shall not be entitled to return to his or her job as provided in Section 31725.

~~(e)~~(d) If the retired member should die before a final determination is made concerning entitlement to disability retirement, the rights of the beneficiary shall be as selected by the member at the time of retirement for service. The optional or unmodified type of allowance selected by the member at the time of retirement for service shall also be binding as to the type of allowance the member receives if the member is awarded a disability retirement.

~~(d)~~(e) Notwithstanding subdivision ~~(e)~~,(d), if the retired member should die before a final determination is made concerning entitlement to disability retirement, the rights of the beneficiary may be as selected by the member at the time of retirement for service, or as if the member had selected an unmodified allowance. The optional or unmodified type of allowance selected by the member at the time of retirement for service shall not be binding as to the type of allowance the member receives if the member is awarded a disability retirement. A change to the optional or unmodified type of allowance shall be made only at the time a member is awarded a disability retirement and the change shall be retroactive to the service retirement date and benefits previously paid shall be adjusted. If a change to the optional or unmodified type of allowance is not made, the benefit shall be adjusted to reflect the differences in retirement benefits previously received. This paragraph shall only apply to members who retire on or after January 1, 1999.

31760.

(a) Except as provided in ~~subdivision (b)~~,subdivisions (b) and (c), until the first payment of any retirement allowance is made, a member or retired member, in lieu of the retirement allowance for the member's life alone, may elect to have the actuarial equivalent of his or her retirement allowance as of the date of retirement applied to a lesser retirement allowance payable throughout life in

accordance with one of the optional settlements specified in this article.

(b) Notwithstanding subdivision (a), a member who applies for disability and is subsequently granted a service retirement pending a determination of entitlement to disability may change the type of optional or unmodified allowance that he or she elected at the time the service retirement was granted, subject to the provisions of Section 31725.7.

(c) Notwithstanding subdivision (a), a member retired for service who applies for and is subsequently granted a disability retirement may change the type of optional or unmodified allowance that he or she elected at the time the service retirement was granted, subject to the provisions of Section 31725.7.

4. Why should the proposed legislation be sponsored by SACRS rather than by your individual retirement association?

The proposed legislation applies to all SACRS member systems, and SACRS in the past has sponsored legislation dealing with issues of disability retirement and option changes.

5. Do you anticipate that the proposed legislation would create any major problems such as conflicting with Proposition 162 or create a problem with any of the other 19 SACRS retirement associations?

No. The amendments should be considered technical changes similar to the changes proposed by SB 2137 (1998) and AB 992 (2015) providing clarification with respect to benefit options.

6. Who will support or oppose this proposed change in the law?

SACRS member systems that desire clarification in the law would support. SB 2137, which was the predecessor legislation providing the ability to make option changes, had support from safety member organizations and no opposition.

7. Who will be available from your association to testify before the Legislature?

Barry Lew and Joe Ackler.

Email or mail your legislative proposals to:

Mike Robson and Trent Smith  
Edelstein, Gilbert, Robson, & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
Sacramento, CA 95814

Email to both:

[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)  
[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)



EDELSTEIN GILBERT ROBSON & SMITH <sup>LLC</sup>

Donald B. Gilbert Michael R. Robson Trent E. Smith Alan L. Edelstein <sup>OF COUNSEL</sup>

TO: SACRS ADMINISTRATORS AND RETIREMENT BOARD CHAIRS

FROM: Mike Robson and Trent Smith on behalf of SACRS Legislative Committee

SUBJECT: SACRS 2021 LEGISLATIVE TIMELINES

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November 13, 2020

Those legislative proposals recommended by the Legislative Committee, as well as other proposals, will be discussed at the SACRS Fall Conference.

2021 SACRS LEGISLATIVE PLATFORM WORKSHEET  
PLEASE COMPLETE AND RETURN BY AUGUST 30, 2020

Title of Issue: Clarifying and Technical Amendments

Association: LACERA

Contact Person: Barry Lew

Phone #: 626-564-2370

Fax #: N/A

Please answer the following questions as fully as possible:

1. Description of issue.

Various sections of CERL require technical and clarifying amendments that would facilitate plan administration.

2. Recommended solution.

**Post-Retirement Employment**

Description

Section 31680.2 provides that retired members may be reemployed without reinstatement to membership in a position requiring special skills or knowledge for a period of time not to exceed 90 working days or 720 hours in one fiscal year of any other 12-month period. Section 31680.3 provides that the period of time not exceed 120 working days or 960 hours.

Proposed Amendments

The current statutes are missing the phrase “a period of time,” which should be inserted between “for” and “not” in the first sentence of each. Section 31680.6 provides context for this correction in that it extends “...the period of time provided for in Section 31680.2....”

Government Code Sections Affected

31680.2 and 31680.3.

**County Health Officer as Board’s Medical Advisor**

Description

CERL requires the county health officer to advise the board on medical matters and, if requested by the board, shall attend its meetings. In practice, medical matters generally arise in the adjudication of disability retirement applications, and the various retirement systems operating under CERL usually do not have the actual county health officer perform this function. The county health officer’s deputy or other representative may be performing this function, or the retirement systems may



be engaging physicians in private practice.

*Proposed Amendments*

Clarify that the county health officer, either directly or through a duly authorized representative, shall advise the board on medical matters. Also clarify that the board may contract with a physician in private practice under its existing authority to secure the necessary medical service and advice in carrying out its adjudication of disability retirement applications.

*Government Code Sections Affected*

31530 and 31732.

**Installment Payments**

*Description*

Members who elect to make additional contributions to purchase service credit may elect to make the contributions either on a pretax or after-tax basis. If members make pretax contributions, federal tax law prohibits them from changing or stopping the contributions before termination of service.

Section 31641.8 was enacted in 1955 and provides that a member who has elected to make contributions by installment payments may, at any time prior to the effective date of retirement, complete payment by lump sum. This section does not conform with federal tax law with respect to pretax contributions.

*Proposed Amendments*

Section 31641.8 should be deleted as being obsolete. The payment terms related to pretax and after-tax contributions in conformity with federal tax law are generally specified in the contracts that members sign when they elect to make additional contributions. Moreover, members have up to 120 days after the effective date of retirement to complete the payment of contributions.

*Government Code Sections Affected*

31641.8.

3. Specific language that you would like changed in, or added to, '37 Act Law, and suggested code section numbers.

**Post-Retirement Employment**

31680.2.

(a) Any person who has retired may be employed in a position requiring special skills or knowledge, as determined by the county or district employing him or her, for a period of time not to exceed 90 working days or 720 hours, whichever is greater, in any one fiscal year or any other 12-month period designated by the board of supervisors and may be paid for that employment. That employment shall not operate to reinstate the person as a member of this system or to terminate or suspend his or her retirement allowance, and no deductions shall be made from his or her salary as contributions to this system.

(b) (1) This section shall not apply to any retired person who is otherwise

eligible for employment under this section if, during the 12-month period prior to an appointment described in this section, that retired person receives unemployment insurance compensation arising out of prior employment subject to this section with the same employer.

(2) A retired person who accepts an appointment after receiving unemployment insurance compensation as described in this subdivision shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment subject to this section for a period of 12 months following the last day of employment.

(3) Beginning January 1, 2013, if any provision of this section conflicts with the California Public Employees' Pension Reform Act of 2013, the provisions of that act shall prevail, except that the limit on postretirement employment provided in subdivision (a) to the greater of 90 working days or 720 hours shall remain effective.

### 31680.3.

(a) Notwithstanding Section 31680.2, any member who has been covered under the provisions of Section 31751 and has retired may be reemployed in a position requiring special skills or knowledge, as determined by the county or district employing the member, for a period of time not to exceed 120 working days or 960 hours, whichever is greater, in any one fiscal year and may be paid for that employment. That employment shall not operate to reinstate the person as a member of this system or to terminate or suspend the person's retirement allowance, and no deductions shall be made from the person's salary as contributions to this system.

(b) (1) This section shall not apply to any retired member who is otherwise eligible for reemployment under this section if, during the 12-month period prior to an appointment described in this section, that retired person receives unemployment insurance compensation arising out of prior employment subject to this section with the same employer.

(2) A retired person who accepts an appointment after receiving unemployment insurance compensation as described in this subdivision shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment subject to this section for a period of 12 months following the last day of employment.

(c) Beginning January 1, 2013, if any provision of this section conflicts with the California Public Employees' Pension Reform Act of 2013, the provisions of that act shall prevail.

### **County Health Officer as Board's Medical Advisor**

#### 31530.

The county health officer, either directly or through a duly authorized representative, shall advise the board on medical matters and, if requested by the board, shall attend its meetings.

31732.

The board shall secure such medical, investigatory and other service and advice as is necessary to carry out the purpose of this article. Notwithstanding Section 31529, the board may contract with an attorney in private practice for the legal services and advice necessary to carry out the purpose of this article.

Notwithstanding Section 31530, the board may contract with a physician in private practice for the medical advice necessary to carry out the purpose of this article. It shall pay for such services and advice such compensation as it deems reasonable.

### **Installment Payments**

~~31641.8~~

~~Any member who has elected to make contributions pursuant to this chapter by installment payments may, at any time prior to the effective date of his retirement, complete payment thereof by lump sum.~~

4. Why should the proposed legislation be sponsored by SACRS rather than by your individual retirement association?

The proposed changes are applicable to all SACRS member systems.

5. Do you anticipate that the proposed legislation would create any major problems such as conflicting with Proposition 162 or create a problem with any of the other 19 SACRS retirement associations?

No. These are technical and clarifying changes.

6. Who will support or oppose this proposed change in the law?

SACRS member systems should support the changes as they will facilitate plan administration. There should not be any opposition since the changes do not affect CERL's benefit structure.

7. Who will be available from your association to testify before the Legislature?

Barry W. Lew and Joe Ackler.

Email or mail your legislative proposals to:

Mike Robson and Trent Smith  
Edelstein, Gilbert, Robson, & Smith LLC  
1127 11<sup>th</sup> Street, Suite 1030  
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Email to both:

[Mike@EGRSlobby.com](mailto:Mike@EGRSlobby.com)

[Trent@EGRSlobby.com](mailto:Trent@EGRSlobby.com)

**FOR INFORMATION ONLY**

October 27, 2020

TO: Trustees  
Board of Retirement

FROM: Ricki Contreras, Division Manager  
Disability Retirement Services



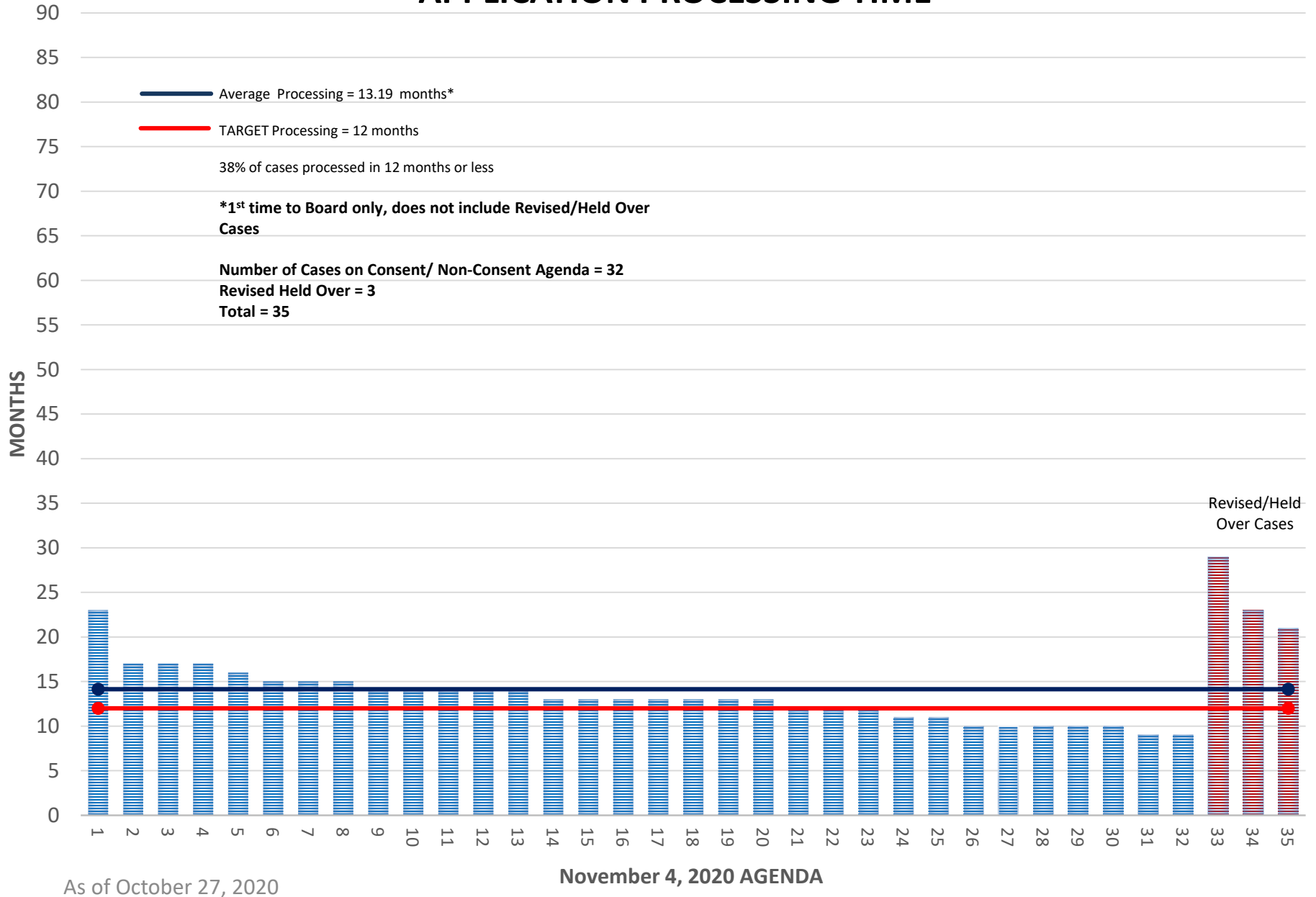
FOR: November 4, 2020 Board of Retirement Meeting

SUBJECT: **Application Processing Time Snapshot Reports**

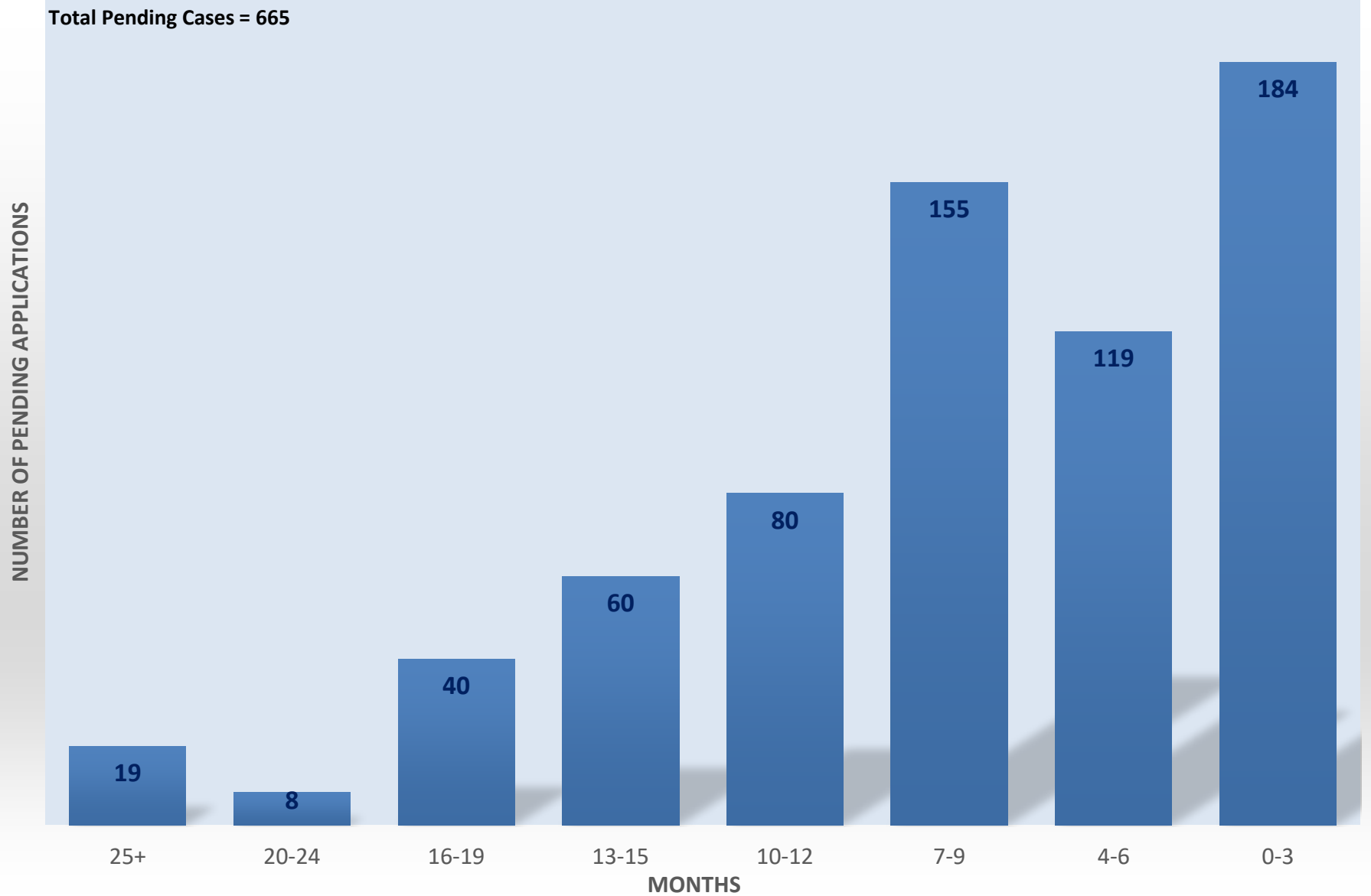
The following chart shows the total processing time from receipt of the application to the first Board action for all cases on the November 4, 2020 Disability Retirement Applications Agenda.

| Consent & Non-Consent Calendar                              |              |              |              |
|---|--------------|--------------|--------------|
| Number of Applications                                      | 32           |              |              |
| Average Processing Time (in Months)                         | 13.19        |              |              |
| Revised/Held Over Calendar                                  |              |              |              |
| Number of Applications                                      | 3            |              |              |
| Processing Time Per Case (in Months)                        | Case 1<br>29 | Case 2<br>23 | Case 3<br>21 |
|   |              |              |              |
| Total Average Processing Time All <u>35</u> Cases on Agenda | 14.14        |              |              |

# DISABILITY RETIREMENT SERVICES APPLICATION PROCESSING TIME



# DISABILITY RETIREMENT SERVICES PENDING APPLICATIONS/TIME INTERVALS



As of October 27, 2020

# FOR INFORMATION ONLY

October 22, 2020

TO: Trustees – Board of Investments

FROM: Ted Granger   
Interim Chief Financial Officer

FOR: November 5, 2020 – Board of Investments Meeting

SUBJECT: **Semi-Annual Interest Crediting for Reserves as of June 30, 2020 (AUDITED)**

Pursuant to the County Employees Retirement Law Section 31591, regular interest shall be credited semi-annually on June 30 and December 31 to all eligible member contributions in the retirement fund, which have been on deposit six months immediately prior to such date at an interest rate of 2.5% per annum, until otherwise determined by the Board.

The semi-annual interest crediting rate applicable for this cycle, June 30, 2020, was 3.625% (i.e., one-half of the 7.25% annual rate). The new 7.00% annual rate is effective for the next interest crediting cycle ending December 31, 2020.

In January 2020, the Board approved a reduction in the investment return assumption from 7.25% to 7.00%. The new rate and corresponding employer and employee contribution rates, were implemented with the March 2020 Board's action to adopt the June 30, 2019 actuarial valuation. To provide ample time for both the plan sponsor and LACERA to prepare for the change, the new 7.00% rate becomes effective for the next interest crediting cycle.

The Retirement Benefit Funding Policy stipulates that interest credits for Reserve accounts are allocated in the same priority order as the allocation of actuarial assets. Such interest credits are granted based on Realized Earnings for the six-month period. As of June 30, 2020, there were sufficient Realized Earnings to meet the required interest credit rates for Priority 1, the Member Reserve. In as much as there was no balance in the Advanced Employer Contributions Reserve at the beginning of the fiscal year, the remaining realized earnings were applied to Priority 3, the Employer Reserve.

The table below depicts the actual interest credit allocations for the six-month period ended June 30, 2020.

| Priority Order | Reserve Account                 | Interest Credit Rate Applied |
|----------------|---------------------------------|------------------------------|
| 1              | Member                          | 3.625%                       |
| 2              | Advanced Employer Contributions | N/A                          |
| 3              | Employer                        | 3.431%                       |

REVIEWED AND APPROVED:

  
Santos H. Kreimann  
Chief Executive Officer

Interest Credit Rate June 2020 (Audited).doc  
SHK:tg:mh

c: Board of Retirement, LACERA  
Fesia Davenport, Acting CEO, Los Angeles County

**FOR INFORMATION ONLY**

October 23, 2020

TO: Each Trustee  
Board of Retirement  
Board of Investments

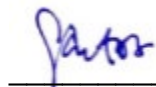
FROM: Ted Granger   
Interim Chief Financial Officer

FOR: November 4, 2020 Board of Retirement Meeting  
November 5, 2020 Board of Investments Meeting

SUBJECT: **MONTHLY EDUCATION & TRAVEL REPORTS – SEPTEMBER 2020**

Attached, for your review, are the Board and Staff Education & Travel Reports as of September 2020. These reports include travel (i.e., completed and canceled) during Fiscal Year 2020-2021.

REVIEWED AND APPROVED:



---

Santos H. Kreimann  
Chief Executive Officer

TG/EW/krh

**Attachments**

c: J. Popowich  
J. Grabel  
S. Rice  
K. Hines



**BOARD EDUCATION AND TRAVEL REPORT  
FOR FISCAL YEAR 2020 - 2021  
SEPTEMBER 2020**

| Attendee                  | Purpose of Travel - Location   | Event Dates             | Travel Status |
|---------------------------|--|-------------------------|---------------|
| <b>Elizabeth Ginsberg</b> |  |                         |               |
| B                         | - Edu - CALAPRS Principles for Trustees - VIRTUAL                          | 08/18/2020 - 08/26/2020 | Attended      |
| <b>Vivian Gray</b>        |  |                         |               |
| B                         | - Edu - SACRS Public Pension Investment Management Program 2020 - VIRTUAL  | 07/28/2020 - 08/13/2020 | Attended      |
| <b>David Green</b>        |  |                         |               |
| B                         | - Edu - PPI 2020 Summer Roundtable - Los Angeles CA                        | 07/14/2020 - 07/16/2020 | Attended      |
|                           | - Edu - Pacific Council - "Beyond the Horizon" Summit - VIRTUAL            | 07/20/2020 - 07/24/2020 | Attended      |
| <b>James Harris</b>       |  |                         |               |
| B                         | - Edu - SACRS Sexual Harassment Prevention Training - VIRTUAL              | 07/15/2020 - 07/15/2020 | Attended      |
|                           | - Edu - SACRS Public Pension Investment Management Program 2020 - VIRTUAL  | 07/28/2020 - 08/13/2020 | Attended      |
| <b>Keith Knox</b>         |  |                         |               |
| B                         | - Edu - PPI 2020 Summer Roundtable - Los Angeles CA                        | 07/14/2020 - 07/16/2020 | Attended      |
|                           | - Edu - SACRS Public Pension Investment Management Program 2020 - VIRTUAL  | 07/28/2020 - 08/13/2020 | Attended      |
|                           | - Edu - CII & NYU Corporate Governance Bootcamp - VIRTUAL                  | 09/23/2020 - 09/25/2020 | Attended      |
| <b>Gina Sanchez</b>       |  |                         |               |
| B                         | - Edu - SACRS Sexual Harassment Prevention Training - VIRTUAL              | 07/15/2020 - 07/15/2020 | Attended      |
| <b>Herman Santos</b>      |  |                         |               |
| B                         | - Edu- LAVCA's Annual Investor Meeting - VIRTUAL                           | 09/14/2020 - 09/17/2020 | Attended      |
|                           | - Edu- PPI Virtual Equity, Diversity, and Inclusion Conversation - VIRTUAL | 09/24/2020 - 09/24/2020 | Attended      |

Category Legend:

A - Pre-Approved/Board Approved

B - Educational Conferences and Administrative Meetings in CA where total cost is no more than \$2,000 or international prerequisite conferences per 705.00 A. 8.

C - Second of two conferences and/or meetings counted as one conference per Section 705.00.A.1 in the Travel Policy

X - Canceled events for which expenses have been incurred.

Z - Trip was Canceled - Balance of \$0.00

**STAFF EDUCATION AND TRAVEL REPORT****SEPTEMBER 2020**

| Attendee | Purpose of Travel - Location | Event Dates | Travel Status |
|----------|------------------------------|-------------|---------------|
|----------|------------------------------|-------------|---------------|

No reportable travel incurred this period.

**Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.**

**For further information, contact:  
LACERA  
Attention: Public Records Act Requests  
300 N. Lake Ave., Suite 620  
Pasadena, CA 91101**

**Documents not attached are exempt from disclosure under the California Public Records Act and other legal authority.**

**For further information, contact:  
LACERA  
Attention: Public Records Act Requests  
300 N. Lake Ave., Suite 620  
Pasadena, CA 91101**

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