

# BOARD MEETING VIRTUAL & IN PERSON

\*Following the Committee meeting  
being held prior.



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 would like to remain anonymous at the meeting without stating your name, please let us know.

**Attention:** Public comment requests must be submitted via email to [PublicComment@lacera.com](mailto:PublicComment@lacera.com).

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 91101

9:00 A.M., WEDNESDAY, NOVEMBER 2, 2022\*

This meeting will be conducted by the Board of Retirement both in person and by teleconference under California Government Code Section 54953(e).

Any person may view the meeting in person at LACERA's offices and online at <https://LACERA.com/leadership/board-meetings>

*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 Special Meeting of October 6, 2022
- III. PUBLIC COMMENT

(Written Public Comment - You may submit written public comments by email to [PublicComment@lacera.com](mailto:PublicComment@lacera.com). 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.

Verbal Public Comment - You may also request to address the Board at [PublicComment@lacera.com](mailto:PublicComment@lacera.com) before and during the meeting at any time up to the end of the Public Comment item. We will contact you with information and instructions as to how to access the meeting as a speaker. If you would like to remain anonymous at the meeting without stating your name, please let us know.)
- IV. EXECUTIVE UPDATE
  - A. For Information
    1. LACERA All Stars
    2. Chief Executive Officer's Report  
(Memo dated October 24, 2022)

V. EXECUTIVE SESSION

- A. Conference with Legal Counsel – Existing Litigation  
Significant Exposure to Litigation  
(Pursuant to Paragraph (1) of Subdivision (d) of California  
Government Code Section 54956.9)

1. LACERA v. County of Los Angeles, et al.,  
Los Angeles Superior Court, Case No. 21STCP03475  
(Memo dated October 27, 2022)

VI. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

VII. CONSENT ITEMS

- A. Recommendation as submitted by Steven P. Rice, Chief Counsel:  
That, under AB 361 and Government Code Section 54953(e)(3) of the  
Brown Act, the Board of Retirement and Board of Investments  
separately consider whether to find that the Governor’s COVID-19  
State of Emergency continues to directly impact the ability of each  
Board and its Committees to meet safely in person and that other  
public agencies still recommend social distancing such that each  
Board and its Committees shall hold teleconference meetings for the  
next 30 days as part of hybrid meetings also in person, so long as the  
State of Emergency remains in effect, and direct staff to comply with  
the agenda and public comment requirements of Section 54953(e)(3).  
Action taken by each Board will only apply to that Board and its  
Committees. (Memo dated October 26, 2022)
- B. Ratification of Service Retirement and Survivor Benefit Application  
Approvals. (Memo dated October 25, 2022)
- C. Recommendation as submitted by Fern M. Billingsy, Senior Staff  
Counsel: That the Board 1) Adopt the resolutions, No. 2022-BR004,  
and No. 2022-BR005, specifying pay items as included and excluded  
from the definitions of “compensation earnable” and “pensionable  
compensation”; and 2) Instruct staff to coordinate with the County of  
Los Angeles to establish necessary reporting mechanism and  
procedures to permit LACERA to include or exclude these items when  
calculating final compensation. (Memo dated October 20, 2022)

VII. CONSENT ITEMS (Continued)

- D. Recommendation as submitted by Fern M. Billings, Senior Staff Counsel: That the Board 1) Adopt the resolutions, No. 2022-BR006, and No. 2022-BR007, specifying pay items as included and excluded from the definitions of “compensation earnable” and “pensionable compensation”; and 2) Instruct staff to coordinate with the County of Los Angeles to establish necessary reporting mechanism and procedures to permit LACERA to include or exclude these items when calculating final compensation. (Memo dated October 21, 2022)
- E. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board grant the appeal and request for an administrative hearing for applicant David Diaz (Dec'd); Josephina F. Martinez (Surviving Spouse). (Memo dated October 20, 2022)

VIII. EXCLUDED FROM CONSENT ITEMS

IX. NON-CONSENT ITEMS

- A. Recommendation as submitted by Louis Gittens, Interim Division Manager, Benefits Division: That the Board approve the reciprocal disability retirement for the following named deferred members who were found to be disabled by the current reciprocal agency for the performance of their duties and have met the burden of proof. (Memo dated October 19, 2022)

X. REPORTS

- A. For Information Only as submitted by Francis J. Boyd, Senior Staff Counsel, regarding AB 551 – Extension of Disability Retirement Covid-19 Presumption Until January 1, 2024. (Memo dated October 19, 2022)
- B. For Information Only as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports. (Memo dated October 17, 2022)
- C. For Information Only as submitted by James Beasley, Supervising Administrative Assistant I, Administrative Services, regarding the Fiduciary Liability, Cyber Liability, and Crime Prevention Insurance Renewal Update. (Memo dated October 14, 2022)

X. REPORTS (Continued)

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

Monthly Trustee Travel & Education Reports for September 2022

(Public memo dated October 19, 2022)

(Confidential memo dated October 19, 2022 – Includes Pending Travel)

- E. For Information Only as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the 2022 Quarterly Reports of Paid Invoices – July 1, 2022 to September 30, 2022. (Confidential Memo dated October 18, 2022)

- F. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the October 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated October 24, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

XI. ITEMS FOR STAFF REVIEW

(This item summarizes requests and suggestions by individual trustees during the meeting for consideration by staff. These requests and suggestions do not constitute approval or formal action by the Board, which can only be made separately by motion on an agenda item at a future meeting.)

XII. ITEMS FOR FUTURE AGENDAS

(This item provides an opportunity for trustees to identify items to be included on a future agenda as permitted under the Board's Regulations.)

XIII. GOOD OF THE ORDER

(For information purposes only)

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

- A. Applications for Disability

XIV. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

B. Staff Recommendations

1. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board approve the service provider invoice for David L. Friedman, M.D., Ph.D. c/o The Friedman Psychiatric Medical Group.  
(Memo dated October 25, 2022)

XV. EXECUTIVE SESSION

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

1. Administrative Appeal of Hosun M. Kim and Potential Claims of  
Members Similarly Situated  
(Memo dated October 21, 2022)

XVI. ADJOURNMENT

***\*Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Committee meeting preceding it.***

***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 Trustees 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., THURSDAY, OCTOBER 6, 2022

This meeting was conducted by the Board of Retirement by teleconference under California Government Code Section 54953(e).

PRESENT: William Pryor (Alternate Safety), Chair

Shawn R. Kehoe, Vice Chair

Alan Bernstein, Secretary

Vivian H. Gray

JP Harris (Alternate Retired)

Wayne Moore

Antonio Sanchez

Herman Santos

ABSENT: Keith Knox

Les Robbins

Gina Zapanta

STAFF ADVISORS AND PARTICIPANTS

Santos H. Kreimann, Chief Executive Officer

Luis A. Lugo, Deputy Chief Executive Officer

Jonathan Gabel, Chief Investment Officer

STAFF ADVISORS AND PARTICIPANTS (Continued)

JJ Popowich, Assistant Executive Officer

Laura Guglielmo, Assistant Executive Officer

Steven P. Rice, Chief Counsel

Francis J. Boyd, Senior Staff Counsel

Fern M. Billingsy, Senior Staff Counsel

Dr. Glenn Ehresmann, Medical Advisor

Ted Granger, Interim Chief Financial Officer

Barry W. Lew, Legislative Affairs Officer

Kathy Delino, Systems Interim Chief Information Technology Officer

Celso Templo, Systems Interim Information Technology Manager II

Tamara Caldwell, Disability Retirement Specialist Supervisor

Vickie Neely, Disability Retirement Specialist Supervisor

Kerri Wilson, Disability Retirement Specialist Supervisor

Hernan Barrientos, Disability Retirement Specialist Supervisor

Ricardo Salinas, Disability Retirement Specialist Supervisor

Vincent Lim, Disability Litigation Manager

Nick Collier, Milliman – Consulting Actuary

Craig Glyde, Milliman – Consulting Actuary

I. CALL TO ORDER

The meeting was called to order virtually by Chair Pryor at 9:10 a.m.

## II. APPROVAL OF MINUTES

### A. Approval of the Minutes of the Regular Meeting of September 7, 2022

Mr. Santos made a motion, Mr. Kehoe seconded, to approve the minutes of the regular meeting of September 7, 2022. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

## III. PUBLIC COMMENT

A written comment from Jeffrey R. McKee's survivor regarding his application

(5269B) that will be part of the meeting record.

## IV. EXECUTIVE UPDATE

### A. For Information

#### 1. LACERA All Stars

Mr. Popowich announced the winners for the month: Jennel Sarian, Hernan Barrientos, Rebecca Yu, and Soledad Cortez. The Rideshare winner was Liping Li.

#### 2. Chief Executive Officer's Report (Memo dated September 27, 2022)

Mr. Kreimann shared that staff is prepared for hybrid meetings starting in November. In addition, he shared an update on the OneMeeting (PrimeGov) project. Furthermore, it was shared that the safety member election will be certified by the Board of Supervisors at its October 18<sup>th</sup> meeting. Lastly, the recruitment status on outstanding positions was provided.

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement  
Service-Connected Disability Applications

On a motion by Mr. Kehoe, seconded by Mr. Santos, 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. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
796D	JAIME CALOCA
797D	JOSEPH T. HUDSON
798D	PERRY R. VELLANOWETH
799D	JOSE J. GARCIA
800D*	MELVIN L. JOHNICAN
801D	MARK A. CARRILLO
802D	ADAM F. CORDOVA
803D	CARLOS A. SANCHEZ
804D	JOHN E. BARNICK
805D	DANIEL REYES
806D	JEFFREY D. CALE

\*Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Law Enforcement (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
807D	WENDY D. WIECHERT-HAROLD
808D	FRANK A. HIGUERA
809D	ALONA BAHAT
810D*	SARAH E. SASS
811D	DAVID B. VASQUEZ
812D	ANTHONY J. PARKER
813D	DALE M. FETTERLEIGH

Safety Fire, Lifeguards  
Service-Connected Disability Applications

On a motion by Mr. Pryor, seconded by Mr. Bernstein, 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. Santos, Sanchez, Moore, Pryor, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
1520B	RITCHIE A. SALISBURY
1521B	CRAIG R. ZIMMERMANN

\*Granted SCD – Retroactive

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

Safety Fire, Lifeguards (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
1522B	LEONARD A. CRUZ
1523B	CHRIS E. LAMBERT
1524B	JOHN J. KAULBACK
1525B*	ROBERT E. PRINCE
1526B	DAVID J. CHETWOOD

General Members  
Service-Connected Disability Applications

On a motion by Mr. Santos, seconded by Mr. Harris, 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. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

<u>APPLICATION NO.</u>	<u>NAME</u>
2436C	SANTIAGO PEREZ
2437C	CAROLE FOURNIER
2438C**	CINTHIA M. LEAL

\*Granted SCD – Retroactive

\*\*Granted SCD – Salary Supplement

V. DISABILITY RETIREMENT APPLICATIONS ON CONSENT CALENDAR

General Members (Continued)  
Service-Connected Disability Applications

<u>APPLICATION NO.</u>	<u>NAME</u>
2439C*	KAREN L. BRISCO
2440C	KENNETH G. LAYMAN
2441C**	CANZATOR S. BOWENS
2442C***	YOLANDA Y. SMITH
2443C*	PETER S. LEE
2444C***	JENNIFER M. ZAMUDIO
2445C****	SARA BERRELLEZA
2446C***	GINNEH R. WILSON
2447C****	LOURDES P. ARAGON
2448C****	ROCHELLE M. CORUGEDO
2449C**	YOUNG O. SHIM
2450C*****	GERARDO SOTO-VASQUEZ (DEC'D)
2452C****	ALMA D. JAUREGUI

\*Granted SCD – Retroactive

\*\*Granted SCD – Retroactive Employer Cannot Accommodate

\*\*\*Granted SCD – Salary Supplement

\*\*\*\*Granted SCD – Employer Cannot Accommodate

\*\*\*\*\*Granted SCD – Survivor Benefit

## VI. CONSENT ITEMS

Mr. Harris made a motion, Ms. Gray seconded, to approve Consent Items A-D. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

- A. Recommendation as submitted by Steven P. Rice, Chief Counsel: That, under AB 361 and Government Code Section 54953(e)(3) of the Brown Act, the Board of Retirement and Board of Investments separately consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of each Board and its Committees to meet safely in person and that other public agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30 days, so long as the State of Emergency remains in effect, and direct staff to comply with the agenda and public comment requirements of Section 54953(e)(3). Action taken by each Board will only apply to that Board and its Committees. (Memo dated September 26, 2022)
- B. Ratification of Service Retirement and Survivor Benefit Application Approvals. (Memo dated September 27, 2022)
- C. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board dismiss with prejudice the appeal of Megumi Yamamoto for a service-connected disability retirement. (Memo dated September 20, 2022)
- D. Recommendation as submitted by Fern M. Billingsy, Senior Staff Counsel: That the Board 1) Adopt the attached resolution, No. 2022-BR003, specifying that canine handlers pay earned on and after May 1, 2022, by Probation Department, Special Enforcement Operations Unit qualify as compensation earnable; 2) Instruct staff to implement this change by coordinating with the County Auditor-Controller to remit member and employer contributions; and 3) Instruct staff to collect arrears contributions for canine handlers pay in accordance with the Board's policy regarding implementation of new pensionable pay items. (Memo dated September 23, 2022)

## VII. EXCLUDED FROM CONSENT ITEMS

There were no items pulled from the Consent Items.

## VIII. NON-CONSENT ITEMS

- A. Recommendation as submitted by Ted Granger, Interim Chief Financial Officer: 1) That the Board decide whether or not to award a STAR COLA for Program Year 2023, and 2) If awarded, determine whether the STAR COLA benefits will be on an ad-hoc basis at a cost of \$231,000, as determined by LACERA's consulting actuary, Milliman, to restore eligible retirees to an 80% benefit level effective January 1, 2023, or 3) If awarded, determine whether the STAR COLA benefits will be on a permanent basis at a cost of \$2,467,000, as determined by LACERA's consulting actuary, Milliman, to restore eligible retirees to an 80% benefit level effective January 1, 2023. (Memo dated September 27, 2022)

Mr. Granger and Messrs. Collier Glyde of Milliman were present and answered questions from the Board.

Mr. Harris made a motion, Mr. Moore seconded, to approve the STAR COLA, for Program Year 2023 on a permanent basis. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

- B. Recommendation as submitted by Kathy Delino, Systems Interim Chief Information Technology Officer, and Celso Templo, Systems Interim Information Technology Manager II: That the Board authorize staff to engage with Questica to provide software and consulting services to configure, customize, and implement an enterprise budget application for the Administrative Services Division at a first-year cost of \$136,251 (implementation cost of \$75,375 and licensing fee of \$60,876). The total five-year cost is \$398,634. This project is budgeted under the Systems Division Technology Modernization Projects for Fiscal Year 2022-2023 for \$150,000. (Memo and presentation dated September 15, 2022)

VIII. NON-CONSENT ITEMS (Continued)

Kathy Delino and Celso Templo provided a brief presentation and answered questions from the Board.

Mr. Santos made a motion, Ms. Gray seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

- C. Recommendation as submitted by Carlos Barrios, Interim Division Manager, Benefits Division: That the Board 1) Determine, based upon medical evaluation conducted on July 21, 2021, that Hector Inzunza is not incapacitated for the duties assigned to his in the position of Regional Park Superintendent III; and 2) Grant the application of Hector Inzunza for reinstatement to active membership.  
(Memo dated September 20, 2022)

Ms. Gray made a motion, Mr. Kehoe seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

IX. REPORTS

- A. For Information Only as submitted by Barry W. Lew, Legislative Affairs Officer, regarding the Monthly Status Report on Legislation.  
(Memo dated September 27, 2022)

Mr. Lew was present to answer questions from the Board. The report was received and filed.

IX. REPORTS (Continued)

- B. For Information Only as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services, regarding the Application Processing Time Snapshot Reports.  
(Memo dated September 24, 2022)

Ms. Caldwell was present to answer questions from the Board. The report was received and filed.

- C. For Information Only as submitted by Fern M. Billingsy, Senior Staff Counsel, regarding the Report of Compensation Earnable and Pensionable Compensation Items.  
(Memo dated September 22, 2022)

Ms. Billingsy was present to answer questions from the Board. The report was received and filed.

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

Monthly Trustee Travel & Education Reports for August 2022

(Public memo dated September 21, 2022)

(Confidential memo dated September 21, 2022 – Includes Pending Travel)

Mr. Granger was present to answer questions from the Board. The report was received and filed.

- E. For Information Only as submitted by Steven P. Rice, Chief Counsel, regarding the September 2022 Fiduciary Counsel Contact and Billing Report. (Memo dated September 26, 2022) (Privileged and Confidential Attorney-Client Communication/Attorney Work Product)

Mr. Rice was present to answer questions from the Board. The report was received and filed.

X. ITEMS FOR STAFF REVIEW

There were no requests for items for staff review.

XI. ITEMS FOR FUTURE AGENDAS

There were no requests for future agendas.

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

The Board thanked staff for their hard work. Mr. Popowich announced that Carlos Barrios, Interim Benefits Division Manager, will be starting a new position at Alameda County Employees' Retirement Association. Trustees thanked Mr. Barrios for his many years of service at LACERA and wished him well in his new position.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
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5269B – JEFFREY R. MCKEE (DEC'D)*	
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Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected survivor benefit. The motion failed (roll call) with Messrs. Santos, Sanchez, Moore, Harris, and Bernstein voting no and Ms. Gray and Mr. Kehoe voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

\*Survivor Present

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

5269B – JEFFREY R. MCKEE (DEC'D)

Mr. Bernstein made a motion, Mr. Pryor seconded, to deny a service-connected disability survivor benefit. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Harris, and Bernstein voting yes, and Ms. Gray and Mr. Kehoe voting no. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

5270B – DAVID DIAZ (DEC'D)

Mr. Harris made a motion, Ms. Gray seconded, to deny a service-connected disability survivor benefit. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

5271B – TONY TAHERI

Mr. Bernstein made a motion, Mr. Harris seconded, to grant a nonservice-connected disability pursuant to Government Code Sections 31720 and 31724 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

<u>APPLICATION NO. &amp; NAME</u>	<u>BOARD ACTION</u>
5016B – KLEITH HUNTER	Ms. Gray made a motion, Mr. Kehoe seconded, to grant a service-connected disability retirement pursuant to Government Code Sections 31720 and 31724 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.
5230B – SYNTOSHIA L. CUNNINGHAM	Mr. Kehoe made a motion, Mr. Pryor seconded, to deny a service-connected disability retirement without prejudice. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.
6895A – ALAN D. GILLETTE	Mr. Harris made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code section 31720 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins,

XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

A. Applications for Disability (Continued)

APPLICATION NO. & NAME

BOARD ACTION

6895A – ALAN D. GILLETTE (Continued)

and Ms. Zapanta were absent for the vote.

2451C – LEE A. GOLDMAN

Mr. Kehoe made a motion, Ms. Gray seconded, to grant a service-connected disability retirement pursuant to Government Code section 31720 since the employer cannot accommodate. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

B. Disability Retirement Appeals

APPLICATION NO. & NAME

BOARD ACTION

DEBBIE KRAMER – Tamara Yeritsyan  
Eugenia W. Der for the Respondent

Mr. Harris made a motion, Mr. Kehoe seconded, to deny a service-connected disability retirement and find the applicant not permanently incapacitated. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

### XIII. DISABILITY RETIREMENT CASES TO BE HELD IN CLOSED SESSION

#### C. Staff Recommendations

1. Recommendation as submitted by Tamara L. Caldwell, Acting Division Manager, Disability Retirement Services: That the Board approve the service provider invoices for Perry R. Secor, M.D. c/o SoCal Medical Specialists, Medical Corp.  
(Memo dated September 16, 2022)

Mr. Harris made a motion, Mr. Kehoe seconded, to approve staff's recommendation. The motion passed (roll call) with Messrs. Santos, Sanchez, Moore, Kehoe, Harris, Bernstein and Ms. Gray voting yes. Messrs. Knox, Robbins, and Ms. Zapanta were absent for the vote.

### XIV. EXECUTIVE SESSION

- A. Public Employee Performance Evaluation  
(Pursuant to Paragraph (1) of Subdivision (b) of California Government Code Section 54957)

Title: Chief Counsel

The Board met in Executive Session pursuant to Government Code

Section 54957. There was nothing to report.

### XV. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:25 p.m.

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ALAN BERNSTEIN, SECRETARY

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WILLIAM PRYOR, CHAIR



October 24, 2022

TO: Each Trustee,  
Board of Retirement  
Board of Investments

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

**SUBJECT: CHIEF EXECUTIVE OFFICER'S REPORT – NOVEMBER 2022**

The following Chief Executive Officer's Report highlights key operational and administrative activities that have taken place during the past month.

### **Strategic Plan Update**

The LACERA leadership team, along with key staff members throughout the organization, are in the process of further assessing and revising the various goals and objectives identified by the Action Planning Teams (APT). Over the course of the next several weeks, the LACERA leadership team and KH Consulting will put together a presentation illustrating the draft goals and objectives for the SPARK team to review prior to forwarding to the full Board for consideration. KH Consulting will also present the results of the Member and Employee survey to the SPARK Team during the meeting scheduled for November 2022. Thereafter, we will then focus our efforts on presenting the final draft of LACERA's Strategic Plan to the Board of Retirement (BOR) during the January 2023 meeting.

### **Return to Boardroom**

During its Joint Board meeting on Friday, September 23, 2022, trustees from both the Board of Investments (BOI) and Board of Retirement (BOR) voted to resume in-person board meetings effective with meetings scheduled in November 2022. Trustees from both boards will have the option to participate in board and committee meetings remotely or in person as part of the Brown Act State of Emergency Order. The Covid-19 State of Emergency will end on February 28, 2023.

### **Board/Committee Agenda Management, Recordings, Online Archives, and Public Interface Update**

At its March 2022 Board of Retirement meeting, the Board approved to utilize and contract with Prime Government Solutions, Inc. (PrimeGov) now called OneMeeting. This application will be used for both Boards and all Committee meetings, including agenda management, livestreaming, recordings, online archives, and a public interface solution, with an indefinite retention period for archiving the audio and visual recordings. Staff has provided trustees with an opportunity to access the site, and staff will be providing training and obtaining trustee feedback for the pre-meeting testing. In November, testing for the

in-meeting management (voting, public comment, speaker queue, livestreaming, archive materials/recording) and public interface will go into beta testing. Staff will be incorporating trustee feedback, and continue testing and training through December. Staff is planning to go live in January 2023, as well as at the February 2023 OOC meeting following implementation.

### **2022 Safety Member Elections**

The Board of Supervisors certified the election for the safety member trustee seats on both boards. Mr. Jason E. Green (Captain, Los Angeles County Fire Department) has been elected to be the Seventh Member on the Board of Retirement, as well as the Fourth Member on the Board of Investments. Current LACERA Trustee Shawn Kehoe (Captain, Los Angeles County Sheriff's Department) will remain on the Board of Retirement as the Alternate Safety Trustee. Both trustees will begin their service in these capacities effective January 1, 2023 through December 31, 2025.

### **Member Service Call Center**

The Member Service Call Center continues to experience longer than average wait times. In the months of August 2022 and September 2022, the average wait times were 13 minutes and 17 minutes, respectively. During peak hours, the wait time can reach up to an hour. As previously mentioned, we currently have two CORE Benefits training classes that are nearing completion. The first class consists of thirteen Retirement Benefit Specialists (RBS), eight of which will be assigned to the Member Services Call Center (MSCC), one to our Member Care Unit in Member Services, and four to the Benefits division. We expect the eight staff members to begin answering calls independently by December 2022. The second training class consists of ten RBS, of which six will be assigned to the MSCC and four to the Benefits division. The second trainee class will begin to take calls independently by late January 2023. The addition of fifteen new agents to our MSC Call Center will have a significant impact in reducing our Call Wait times. In addition, we are in the process of recruiting for the upcoming CORE Benefits training class scheduled for Spring 2023. We also deployed the new *Call Back* feature for members on September 30th

We are also exploring other Artificial Intelligence (AI) voice features to help reduce call wait times. We have already deployed the "Call Back" feature for our members as an alternative to waiting on hold. Our current provider, Amazon Web Service (AWS), has a voice authentication service which can be used to validate callers by voice. Members who have opted into this service would be recognized and validated by AWS and able to bypass the validation process (reducing wait times). This would be offered to members as an option upon completing a Secure Validation process. We expect to have a signed SOW (Statement of Work) and a general timeline for the project by the end of October 2022.

Lastly, we continue to see a high demand for our one-on-one counseling services. We currently offer twenty to twenty-three counseling appointments per day either in-person or virtual. We have a rolling 90-day calendar, and it is booked out 90 days (about three

months). As an alternative, members who call the Member Service Center do receive detailed counseling and instruction which contributes to the long handle time within MSC.

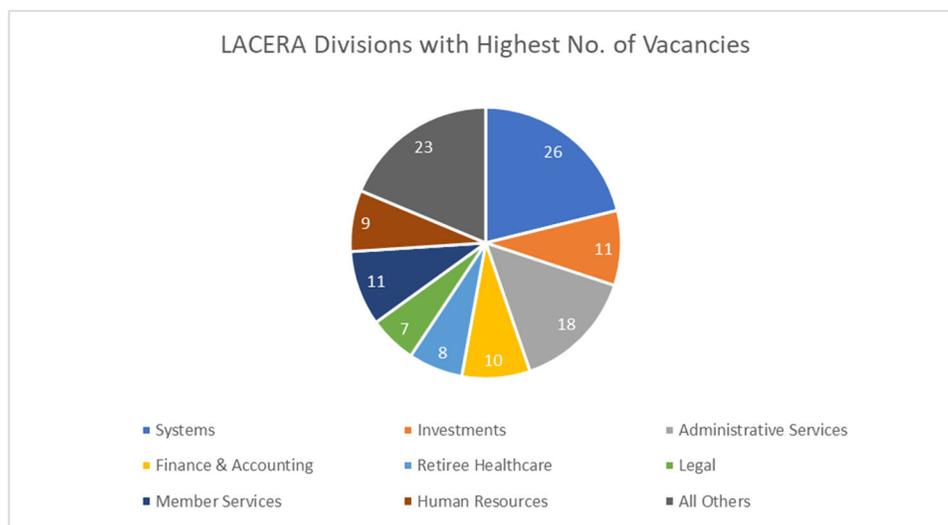
**Recruitment Updates**

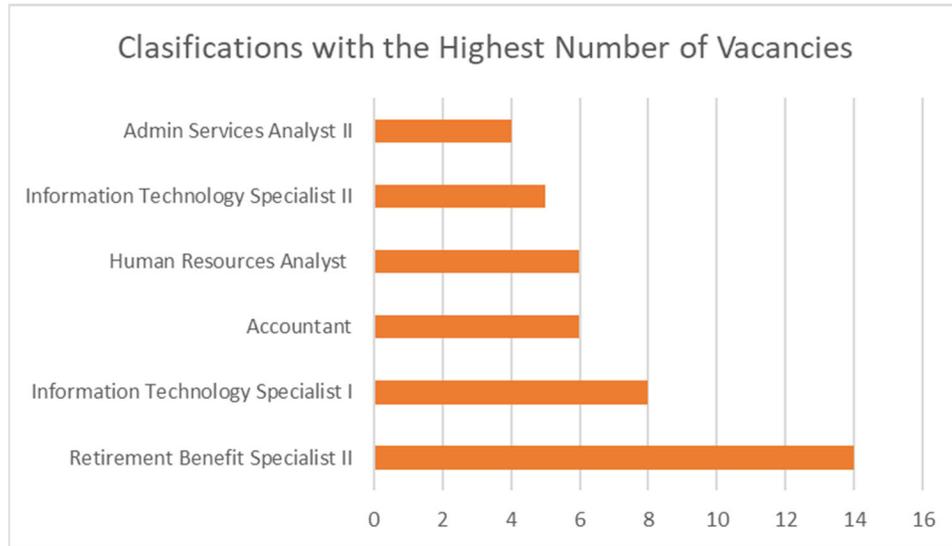
*Vacancies and Hiring*

The current hiring priority in the Investments Division recruitment efforts is the Senior Investment Officer. There are eleven (11) vacancies in Investments (24% vacancy rate) and below is a summary of the recruitment status of these positions.

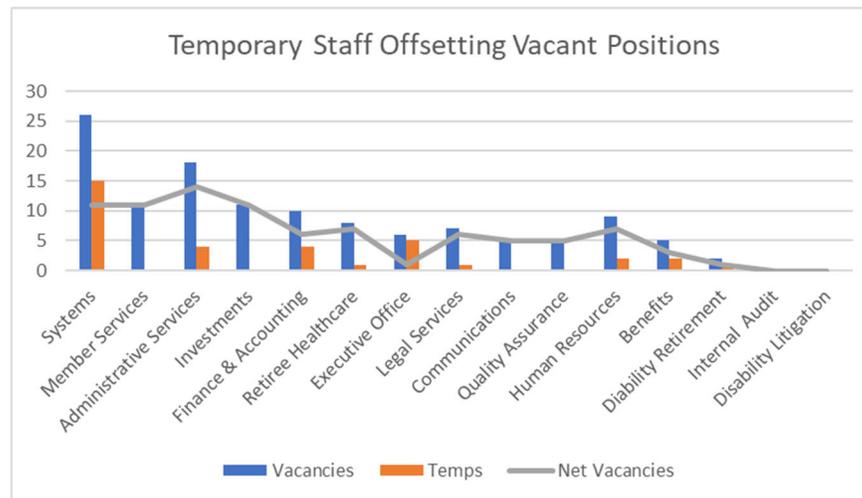
Classification	# of		
	Vacancies	LACERA Priority	Recruitment Stage
Deputy Chief Investment Officer	1	Tier 1 – December 2022	Outsourced Recruitment
Senior Investment Officer (SIO)	1	Tier 1 – June 2022	9 – Division Interviews
Finance Analyst III (FA III)	3	Tier 1 – June 2022	9 – Division Interviews
Finance Analyst II (FA II)	3	Tier 2 – December 2022	
Executive Administrative Asst.	1	Tier 2 – December 2022	N/A
Principal Investment Officer (PIO)	1	Tier 2 – December 2022	N/A
Senior Investment Officer	1	Unassigned	N/A

LACERA has 530 budgeted positions, of which 123 are vacant (23% vacancy rate). The Divisions with the highest number of vacancies, and the classifications with the highest number of vacancies, are shown below.





The chart below highlights temporary hires across divisions to address critical vacancy needs in the short term.



### Development

Human Resources works with the hiring Division to review the classification description, create an ideal candidate profile, and discuss the assessment process. This information is used by HR to create the job bulletin and recruiting brochure (management positions only). The recruitments/assessments for the following classifications are currently in development:

- Retirement Systems Specialist
- Staff Counsel (Benefits)
- Deputy Chief Investment Officer
- Division Manager

Human Resources is working with the Administrative Services Division to complete the contracting process for a vendor to facilitate the Deputy Chief Investment Officer and Chief, Financial Officer recruitments, and another vendor to facilitate the Chief, Information Technology, and Information Security Officer recruitments.

*Recruiting & Assessment*

The Human Resources Team has open recruitments for the following positions:

- Staff Counsel (Investments)
- Financial Analyst III (Corporate Governance and Stewardship)

The assessment process is ongoing for Retirement Benefits Specialist I. The examinations for the Human Resources Analyst, Senior Human Resources Analyst, and Senior Human Resources Assistant examinations closed and the applications are under review.

*New Lists Promulgated*

New eligible registers were promulgated for Senior Investment Officer - Real Estate and Financial Analyst III for Real Estate. Final selection interviews for Senior Investment Officer - Real Estate and Financial Analyst III - Real Estate took place and hiring decisions are expected shortly. Recruitment for the Financial Analyst III - Corporate Governance position continues. Additional candidates are in the assessment phase and those that pass will be added to the eligibility register (list).

*Hiring*

The hiring and selection activity for the month of September is as follows:

Classification	# of		
	Positions	Division	Status
Senior Human Resources Analyst	1	Human Resources	Started October 13
Accountant	1	FASD	Started October 3
Administrative Services	2	Procurement and Supply Clerk	Selections made; starting November 1
Communications	1	Media Artist	Selection made; starting November 1

**Cigna COVID-19 Testing Cost Share Waiver Extended through January 11, 2023**

On Friday, October 21, 2022, notification was received from Cigna Health informing us that Health & Human Services (HHS) has extended the federal public health emergency (PHE) period through January 11, 2023. Therefore, CIGNA will continue to cover individualized COVID-19 diagnostic tests and related visits without customer cost share through the extended period. Segal and staff have inquired about this new information with our other LACERA-administered health plans and are awaiting reply. We will keep the board informed.



# CEO DASHBOARD



November 2, 2022



# Striving for Excellence

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

 <p><b>WORKSHOP ATTENDANCE</b> 1,257 Year-to-Date: 3,808</p>	 <p><b>OUTREACH EVENTS</b> 20 Year-to-Date: 62</p>	 <p><b>WORKSHOP SATISFACTION</b> N/A Mo. To Mo. Change: N/A</p>	 <p><b>MSC SATISFACTION</b> N/A Mo. To Mo. Change: N/A</p>	 <p><b>MEMBER SERVICES CALL CENTER</b> 10,080 3 Month Average: 11,158</p>
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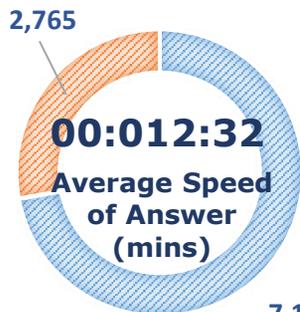
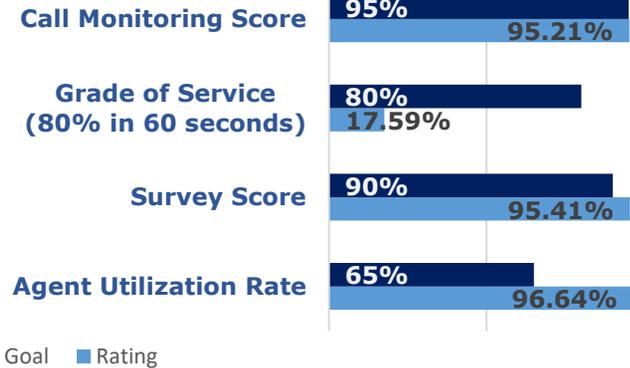
## Member Services

### Key Performance Indicator (Overall Performance)

Goal: 100%



### Key Performance Indicator (Components)



■ Calls Answered ■ Calls Abandoned

### Top Calls

1. Retirement Counseling: Process Overview
2. Retirement Counseling: Estimate
3. Insurance Benefits: Call Transferred-After



### Emails

594  
Avg. Response Time (ART)

24:00 hours

Secure Message  
872



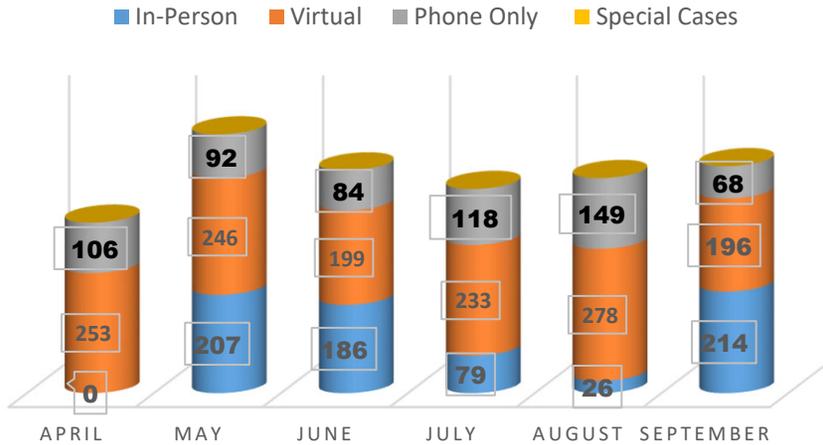


# Striving for Excellence

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

## Member Services

### Member Service Center Appointments



COMING SOON

## Retiree Healthcare



Total RHC Calls: 5,480



■ Calls Answered ■ Calls Abandoned

### Top Calls

1. Medical/Dental Enrollments

2. Medicare Part B Inquiries

3. General Inquiries

Call Monitoring Score



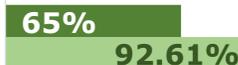
Grade of Service (80% in 60 seconds)



Survey Score



Agent Utilization Rate



■ Goal ■ Rating



Emails 324

Avg. Response Time (ART) 5 Days



Secure Messages

416



# Striving for Excellence

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

**Applications**  
**950**

**In Process**  
**As Of**  
**9/30/2022**

**901** Pending on: 8/31/2022

**89** Received

**212** Year-to-Date

**0** Re-Opened

**0** Year-to-Date

**39** To Board - Initial

**150** Year-to-Date

**1** Closed

**7** Year-to-Date

**Appeals**  
**75**

**In Process**  
**As Of**  
**9/30/2022**

**76** Pending on: 8/31/2022

**1** Received

**3** Year-to-Date

**1** Admin Closed/Rule 32

**2** Year-to-Date

**1** Referee Recommended

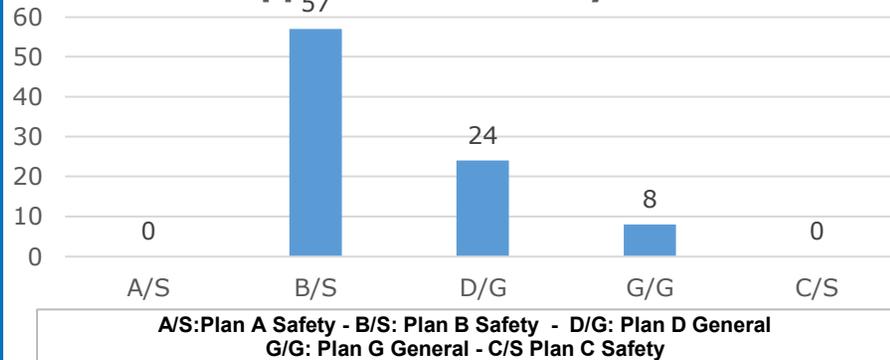
**1** Year-to-Date

**0** Revised/Reconsidered for Granting

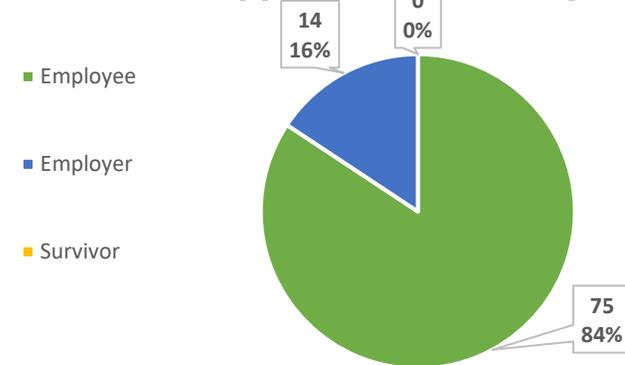
**2** Year-to-Date

Disability

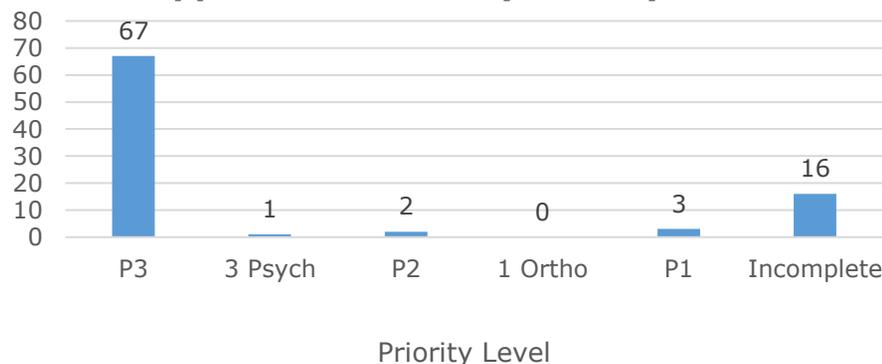
**Applications Filed By Plan**



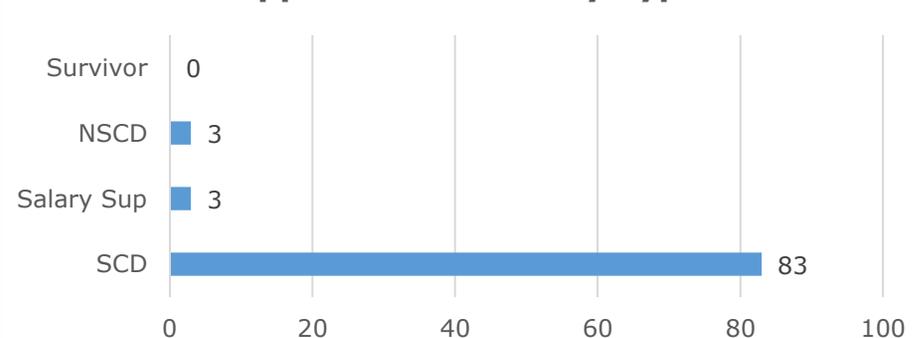
**Applications Filed By Source**



**Applications Filed By Priority Level**



**Applications Filed By Type**

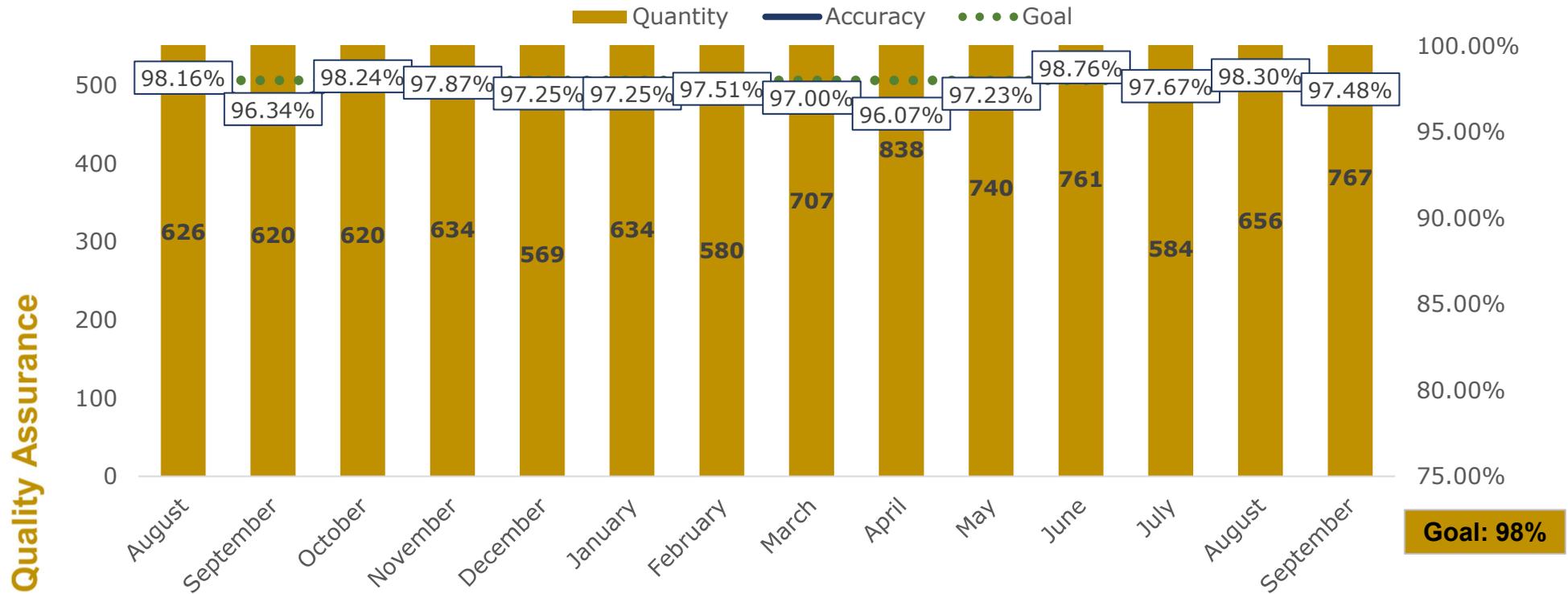




# Striving for Excellence in Quality

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

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



**September**

**97.48%**



**Retirement Elections**

**202** Samples  
**97.74%** Accuracy

**Payment Contracts**

**475** Samples  
**94.71%** Accuracy

**Data Entry**

**90** Samples  
**100.00%** Accuracy

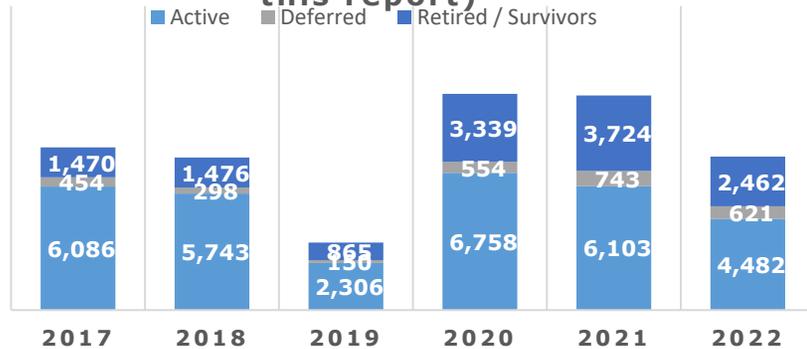


# Service On-Line for All

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

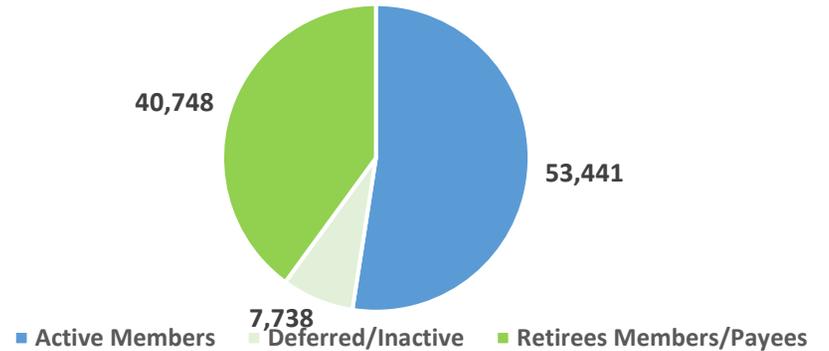
Serving Members Through LACERA.com and MyLACERA

**MyLACERA Annual Registration**  
(as of the 15th of the month prior to this report)

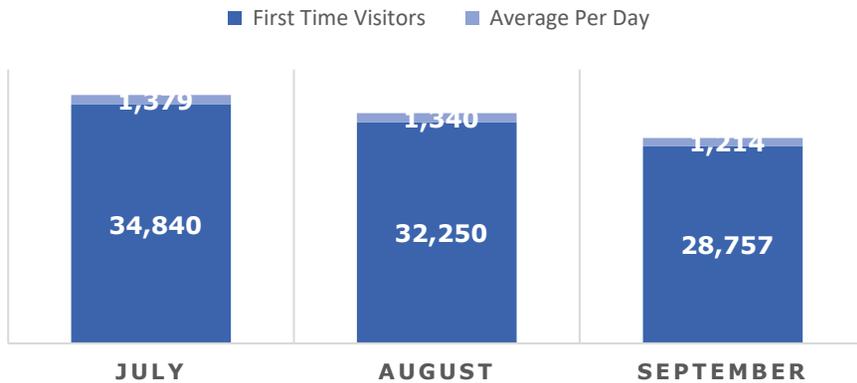


**Total Registered Members** 101,927 60%

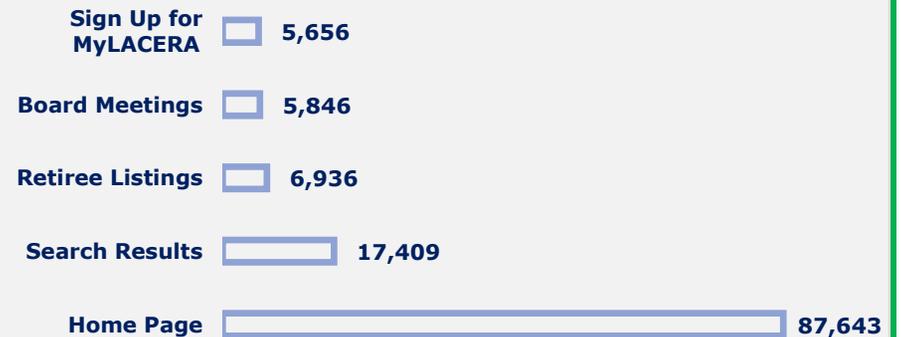
**Total Registrations By Member Type**



**LACERA.com User Traffic**



**Top Five LACERA.com Page Views**



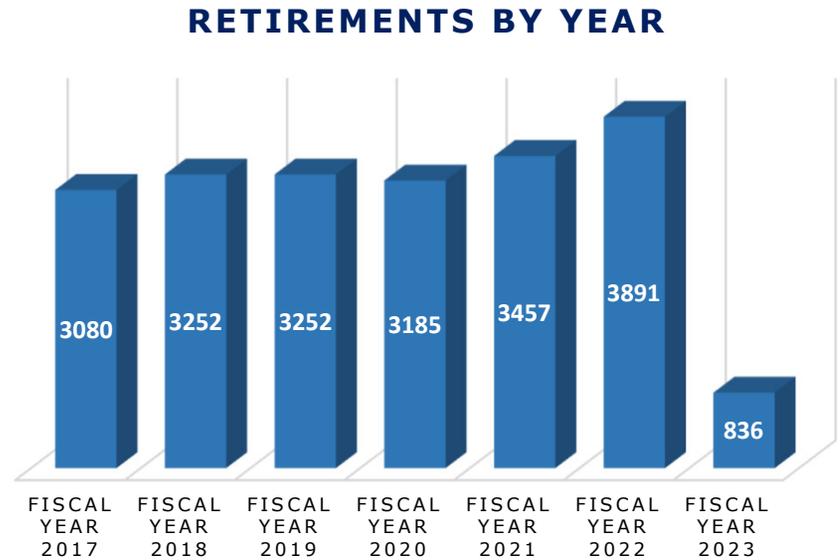
Home Page "I Would Like To" View	Views	% of Change	Home Page Tile Views	Views	% of Change
See my retirement options	4,553	-21%	My LACERA	5,108	9%
Download 2022 RHC forms	2,430	-5%	Pre-Retirement Workshops	2,250	-16%
Start my retirement planning	3,234	22%	Careers	4,427	29%
Learn about service credit	2,035	8%	Investments	1,969	1%
Add or update my beneficiary	1,545	17%	Annual Reports	1,574	22%
<b>Busiest Day of the Month:</b>	<b>Friday, 9/9/2022</b>		Forms and Publications	219	0%



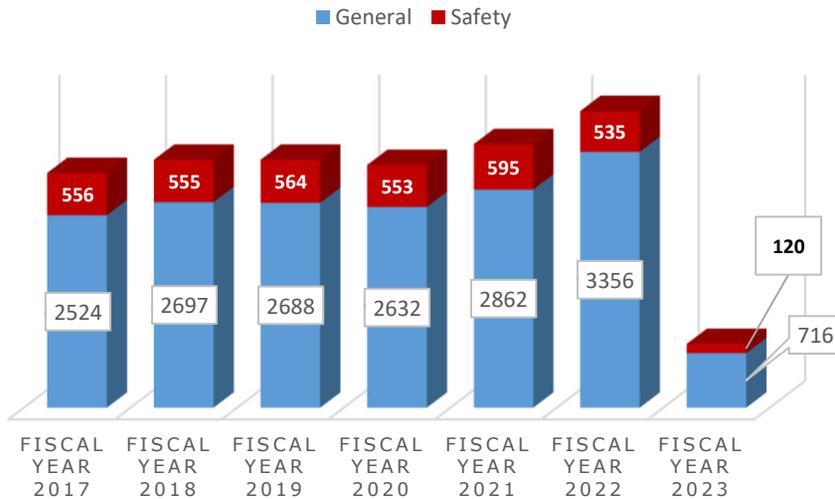
# Member Snapshot

Service Metrics Reported on a Fiscal Year Basis (July 1) Through: September 2022

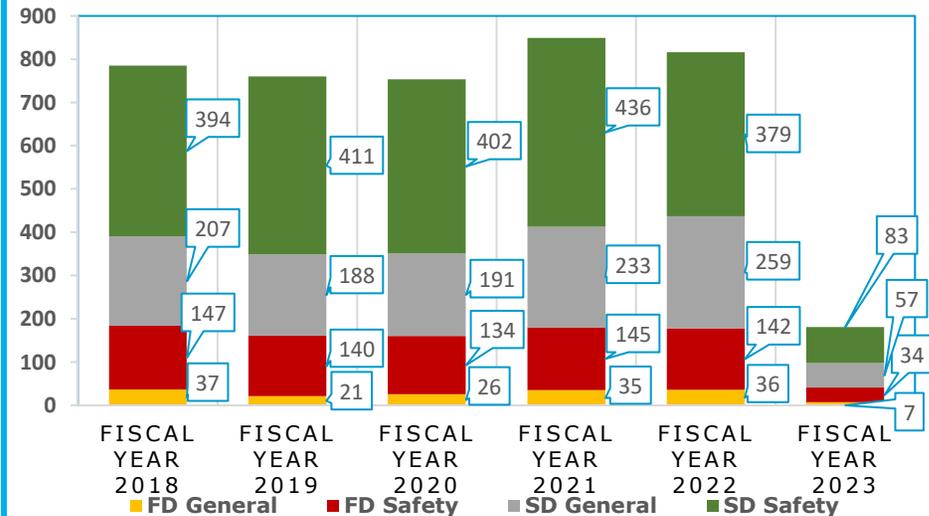
		Members as of 10/15/2022			
General	Plan	Active	Retired	Survivors	Total
	Plan A	54	13,680	4,141	17,875
	Plan B	14	636	72	722
	Plan C	17	417	66	500
	Plan D	35,397	20,265	1,871	57,533
	Plan E	13,761	15,032	1,559	30,352
	Plan G	34,403	204	15	34,622
	<b>Total General</b>	<b>83,646</b>	<b>50,234</b>	<b>7,724</b>	<b>141,604</b>
Safety	Plan A	1	4,464	1,655	6,120
	Plan B	7,995	7,521	390	15,906
	Plan C	4,834	22	2	4,858
	<b>Total Safety</b>	<b>12,830</b>	<b>12,007</b>	<b>2,047</b>	<b>26,884</b>
<b>TOTAL MEMBERS</b>		<b>96,476</b>	<b>62,241</b>	<b>9,771</b>	<b>168,488</b>
<b>% by Category</b>		<b>57%</b>	<b>37%</b>	<b>6%</b>	<b>100%</b>



### ANNUAL RETIREMENTS BY TYPE



### GENERAL VS. SAFETY RETIREMENTS FOR FIRE AND SHERIFF





# Member Snapshot

## Average Monthly Benefit Allowance Distribution Oct. 24, 2022

	General	Safety	Total	%
<b>\$0 to \$3,999</b>	30,189	1,503	31,692	51.0%
<b>\$4,000 to \$7,999</b>	14,210	3,450	17,660	28.4%
<b>\$8,000 to \$11,999</b>	4,049	4,285	8,334	13.4%
<b>\$12,000 to \$15,999</b>	1,119	2,129	3,248	5.2%
<b>\$16,000 to \$19,999</b>	370	437	807	1.3%
<b>\$20,000 to \$23,999</b>	111	138	249	0.4%
<b>\$24,000 to \$27,999</b>	30	41	71	0.1%
<b>&gt; \$28,000</b>	23	5	28	0.0%
<b>Totals</b>	50,101	11,988	62,089	100%

## Average Monthly Benefit Amount:

**\$ 4,729.00**

### Healthcare Program

(Mo. Ending:9/30/2022)

	Employer	Member
Medical	\$150.3	\$11.0
Dental	\$11.8	\$1.1
Part B	\$23.3	\$0.0
<b>Total</b>	<b>\$185.4</b>	<b>\$12.1</b>

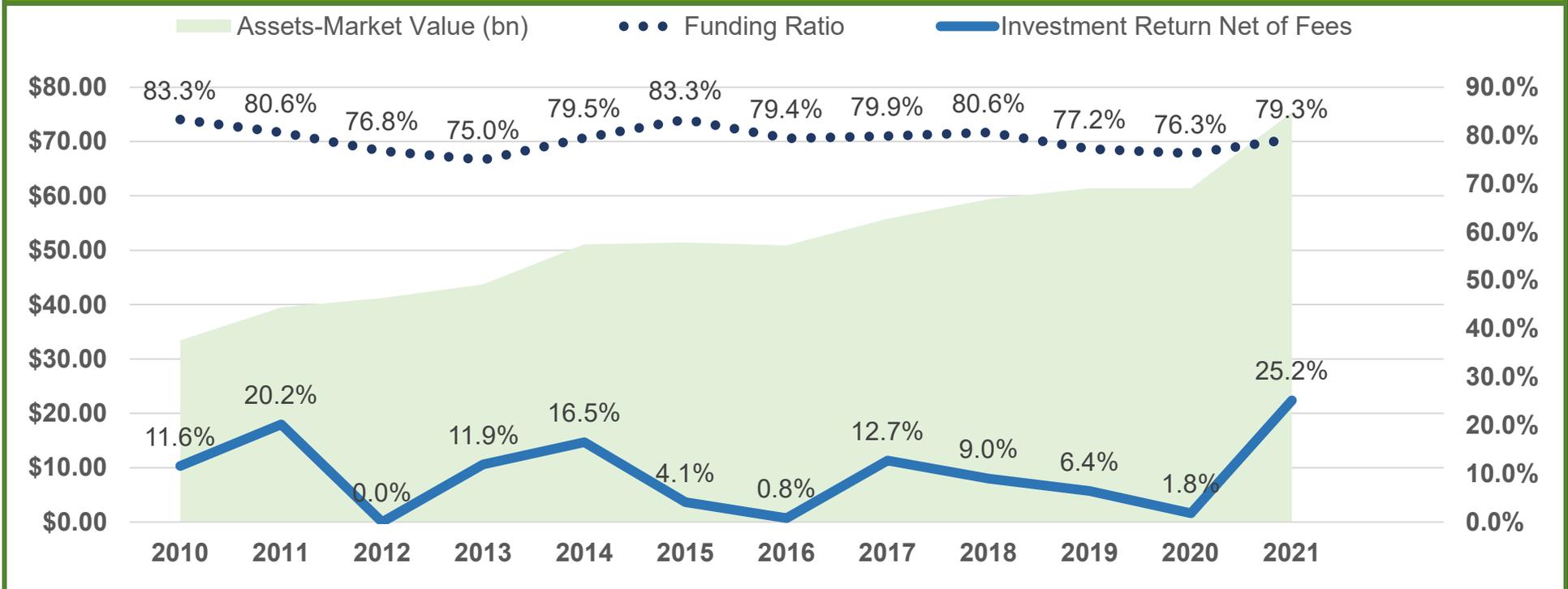
### Health Care Enrollments

(Mo. Ending:9/30/2022)

Medical	54,422
Dental	56,151
Part B	37,343
LTC	521
<b>Total</b>	<b>148,437</b>

## KEY FINANCIAL METRICS

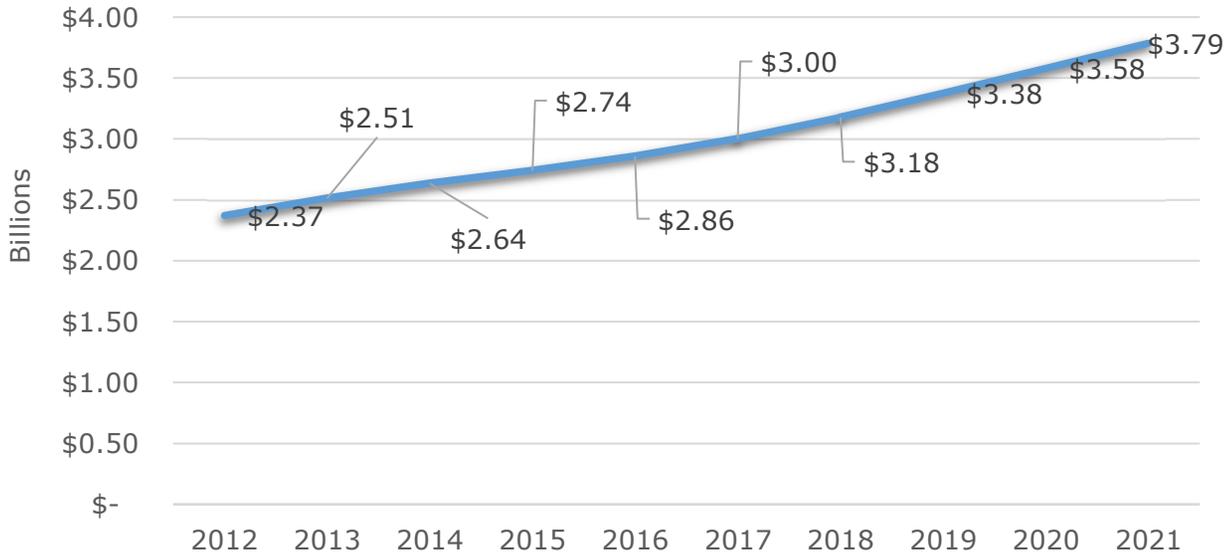
Fiscal Year End Financial Update (as of 06/30/2021)





# Key Financial Metrics

### Retiree Payroll by Year



### FUNDING METRICS (as of 6/30/21)

Employer NC	10.88%
UAAL	13.58%
Assumed Rate	7.00%
Star Reserve	\$614m
Total Assets	\$73.0b

### Contributions (as of 6/30/21)

	Employer	Member
Annual Adc	\$2.0b	\$761.0m
% of Payrol	24.46%	7.87%

### Contributions (as of 6/30/21)

(Net of Fees)

<b>5 YR:</b>	10.8%	<b>10 YR:</b>	8.6%
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### Retired Members Payroll

(As of 9/30/2022)

Monthly Payroll	\$353.58m
Payroll YTD	\$1.1b
New Retired Payees Added	311
Seamless %	95.18%
New Seamless Payees Added	936
Seamless YTD	95.30%
By Check %	2.00%
By Direct Deposit %	98.00%



## QUIET PERIOD LIST

Last Update 10/19/2022

### ADMINISTRATIVE/OPERATIONS

RFP/RFI Name	Issuing Division	RFP Issued	Status*	Quiet Period for RFP Respondents*
<b>Search for Classification &amp; Compensation Study Services (HR)</b>	Human Resources	5/24/2021	Bid Review	<ul style="list-style-type: none"> <li>• Koff and Associates</li> <li>• Magnova Consultant</li> <li>• Grant Thornton</li> <li>• Reward Strategy Group</li> </ul>
<b>Search for Classification &amp; Compensation Study Services (RHC)</b>	Human Resources	5/24/2021	Bid Review	<ul style="list-style-type: none"> <li>• Koff and Associates</li> <li>• Magnova Consultant</li> <li>• Grant Thornton</li> <li>• Reward Strategy Group</li> </ul>
<b>Investments Operational Due Diligence</b>	Internal Audit	5/20/2022	Solicitation Process	<ul style="list-style-type: none"> <li>• KPMG</li> </ul>
<b>Prepaid Debit Card Services</b>	Benefits	6/15/2022 Posted on ISD's solicitation website August 2022	Proposal review	<ul style="list-style-type: none"> <li>• US Bank</li> <li>• FIS</li> <li>• T4L</li> <li>• Original Digital Corporation</li> <li>• Conduent</li> <li>• Brinks Netspend</li> <li>• Prepaid Technologies</li> </ul>
<b>Executive Recruitment Services</b>	Human Resources	2/23/2022	Contract Development	<ul style="list-style-type: none"> <li>• Alliance Consulting</li> <li>• David Gomez Partners, Inc</li> <li>• EFL</li> <li>• Ralph Anderson</li> <li>• Spencer Stuart</li> <li>• WBCP</li> </ul>

\*Subject to change

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### INVESTMENTS QUIET PERIOD FOR SEARCH RESPONDENTS

None at this time



Date	Conference
<b>November, 2022</b>	
8-10	Institutional Limited Partners Association (ILPA) General Partner Summit New York, NY
8-11	SACRS Fall Conference Long Beach, CA
30-December 1	SuperReturn Japan Tokyo, Japan
<b>December, 2022</b>	
5-7	2022 SuperReturn Africa Cape Town, South Africa
6-7	Infrastructure Investor America Forum Conference New York, NY
14-15	National Association of Corporate Directors (NACD) Master Class Scottsdale, AZ
<b>January, 2023</b>	
22-24	NCPERS (National Conference on Public Employee Retirement Systems) Legislative Conference Washington, D.C.
30-February 1	IFEBP (International Foundation of Employment Benefit Plans) Health Benefits Conference Clearwater Beach, FL
<b>March, 2023</b>	
4-7	CALAPRS (California Association of Public Retirement Systems) General Assembly Meeting Monterey, CA
6-8	Council of Institutional Investors (CII) Spring Conference Washington D.C.
22-23	PREA (Pension Real Estate Association) Spring Conference Seattle, WA
29-31	CALAPRS (California Association of Public Retirement Systems) Advanced Principles of Pension Governance for Trustees at UCLA Los Angeles, CA



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**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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**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, 2022

TO: Each Trustee,  
Board of Retirement  
Board of Investments

FROM: Steven P. Rice, *SPR*  
Chief Counsel

FOR: November 2, 2022 Board of Retirement Meeting  
November 9, 2022 Board of Investments Meeting

SUBJECT: Approval of the Use of Teleconference Meeting Technology Under AB 361 and Government Code Section 54953(e), including as Part of Hybrid Board and Committee Meetings

## **RECOMMENDATION**

That, under AB 361 and Government Code Section 54953(e)(3) of the Brown Act, the Board of Retirement and Board of Investments separately consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of each Board and its Committees to meet safely in person and that other public agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30 days as part of hybrid meetings also in person, so long as the State of Emergency remains in effect, and direct staff to comply with the agenda and public comment requirements of Section 54953(e)(3). Action taken by each Board will only apply to that Board and its Committees.

Pursuant to the action of both Boards at the joint meeting on September 23, 2022, starting with the November 2022 Board and Committee meetings, teleconference meetings, if approved, will be agendized as hybrid meetings where trustees may attend by teleconference or in person in the boardroom at LACERA's offices at 300 N. Lake Avenue, Pasadena, California 91101, with adequate provision being made for public comment via teleconference, in person, and in writing and for public attendance via teleconference and in person.

## **LEGAL AUTHORITY**

Under Article XVI, Section 17 of the California Constitution, the Boards have plenary authority and exclusive fiduciary responsibility for the fund's administration and investments. This authority includes the ability of each Board to manage their own Board and Committee meetings and evaluate legal options for such meetings, such as whether to invoke teleconferencing of meetings under AB 361 and Government Code Section 54953(e) of the Brown Act to protect the health and safety of Trustees, staff, and the

public. The Boards previously took this action at their meetings since October 2021. Findings made under this memo will be effective for meetings during the next 30 days, so long as the State of Emergency remains in effect.

## **DISCUSSION**

### ***A. Summary of Law.***

On September 16, 2021, the Governor signed AB 361 which enacted new Government Code Section 54953(e) of the Brown Act to put in place, effective immediately and through December 31, 2023, new teleconferencing rules that may be invoked by local legislative bodies, such as the LACERA Boards, upon making certain findings and following certain agenda and public comment requirements.

Specifically, Section 54953(e)(3) provides that the Boards may hold teleconference meetings without the need to comply with the more stringent procedural requirements of Section 54953(b)(3) if a state of emergency under Section 8625 of the California Emergency Services Act impacts the safety of in person meetings or state or local officials have imposed or recommended social distancing rules, provided that the Board makes the following findings by majority vote:

(A) The Board has considered the circumstances of the state of emergency; and

(B) Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the Trustees to meet safely in person; or
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

If each Board makes the required findings, that Board and its Committees may hold teleconference meetings for the next 30 days without the need to comply with the regular rules of Section 54953(b)(3) provided that: agendas are prepared and posted under the Brown Act; members of the public are allowed to access the meeting via a call-in option or an internet-based service option; and the agenda provides an opportunity for public comment in real time and provides notice of the means of accessing the meeting for public comment. Upon making the required findings, the Boards have discretion to hold meetings either entirely by teleconference or as hybrid meetings with individual trustees and the public able to attend either by teleconference or in person.

### ***B. Information Supporting the Required Findings and Process if the Boards Determine to Invoke Section 54953(e).***

The Governor's State of Emergency for the COVID-19 pandemic as declared in the Proclamation of a State of Emergency dated March 4, 2020 remains active. The

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Proclamation was issued under the authority of Section 8625 of the California Emergency Services Act. It is unclear when the State of Emergency will end, although over the past year the Governor actively terminated many emergency provisions. See, e.g., Order No. N-21-21, issued November 10, 2021, Order No. N-04-22, issued February 25, 2022. Very recently, the Governor terminated additional COVID provisions. See Order No. N-11-22, issued June 17, 2022. In the press release for the June 17 Order, the Governor's Office stated that, after June 30, 2022, "only 5 percent of the COVID-19 related executive order provisions issued throughout the pandemic will remain in place."

On October 17, 2022, the Governor announced that the COVID State of Emergency will end on February 28, 2023. However, the State of Emergency remains in effect until then. The Governor's press release stated that one of the purposes of deferring the end of pandemic until 2023 was to "provid[e] state and local partners the time needed to prepare for this phaseout and set themselves up for success afterwards." Among the transition items reasonably interpreted as included for local agencies such as LACERA is a phaseout of teleconference meetings.

The Los Angeles County Department of Public Health still maintains guidance, even if not a requirement, to "Keep your distance. Use two arms lengths as your guide (about 6 feet) for social distancing with people you don't live with." <http://publichealth.lacounty.gov/acd/ncorona2019/reducingrisk/>. The County Public Health Department also maintains guidance for employers: "Reduce indoor crowding. A few example strategies to decrease crowding include, but are not limited to: • Host larger meetings outdoors or virtually. • Reduce occupancy and spread-out seating in meeting rooms and other small spaces such as locker rooms, weight rooms, restrooms, and saunas. Ensure good ventilation . . . • Establish procedures to prevent crowding among persons waiting to enter or exit a large event. Limiting attendance, establishing unidirectional foot traffic patterns, reservations, online waiting lists, timed entry or exit, and using staff to help direct traffic and limit access if the area becomes too crowded can help." <http://publichealth.lacounty.gov/acd/ncorona2019/bestpractices/>.

Despite this County Health Department guidance, the Board of Supervisors recently resumed in person meetings on September 27, 2022 because the COVID transmission rating in Los Angeles County remained at a "low" level for seven days as measured by CDC ratings. The County provides enhanced air filtration, limits attendance to 100 people, and provides a designated media area. All persons in attendance must be masked. Telephonic public comment and livestreaming are still be provided. The LACERA Boards are not required to follow the Board of Supervisors' decision with regard to how meetings are conducted, but the County's change in practices is instructive.

The City of Pasadena (City), where LACERA's offices are located and Board and

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Committee meetings are held, has substantially revised its guidance to give more flexibility. The City still offers guidance that businesses recognize that COVID-19 continues to pose a risk to communities, and it is important for employers to continue to take steps to reduce the risk of COVID-19 transmission among their workers and visitors.

<https://www.cityofpasadena.net/economicdevelopment/covid-19-business-resources/>.

Earlier guidance promoting physical distancing by business in certain circumstances also remains posted on the City's COVID web page as a reference. As of the date of this memo, the City Council continues to hold its meetings by videoconference/teleconference, although some council members attend in person in the council chambers. At its October 24, 2022 meeting, the City Council voted to extend the video and teleconference meeting process through November 23, 2022.

The Centers for Disease Control and Prevention (CDC) recently updated its guidance, but the CDC still advises the public that they can "Prevent the Spread of COVID-19." Among the methods cited by CDC is "Keeping a Safe Distance Helps Stop COVID-19: Stay away from people who are sick. Stay away from people who have COVID-19. Stay away from people with COVID-19 even if they don't feel sick. Stay away from crowds. Stay away from inside places with lots of people." <https://www.cdc.gov/coronavirus/2019-ncov/easy-to-read/prevent-getting-sick/how-covid-spreads.html>.

Under these circumstances, the Boards may reasonably conclude and find that teleconferencing under Section 54953(e) is appropriate for Board and Committee meetings, including on a hybrid basis, during the next 30 days, so long as the State of Emergency remains in effect, because (1) the State of Emergency continues to impact the ability of the Trustees to meet safely in person, or (2) the County and other authorities continue to recommend measures to promote a safe workplace, including physical distancing, as required by the statute. Either finding is sufficient under Section 54953(e) to support continued teleconference meeting.

If each Board makes these findings and directs teleconferencing under Section 54953(e), procedures exist and will be implemented to ensure compliance with the agenda and public comment requirements of the statute, as stated above. Starting with the November meetings, hybrid in person and teleconference meetings will be implemented in accordance with procedures required by the Brown Act.

Finally, on August 12, 2022, due to a reduction in transmission levels, LACERA management returned to established hybrid in office/telework procedures.

## **CONCLUSION**

Based on the above information, staff recommends that, under AB 361 and Government

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Code Section 54953(e)(3) of the Brown Act, the Board of Retirement and Board of Investments separately consider whether to find that the Governor's COVID-19 State of Emergency continues to directly impact the ability of each Board and its Committees to meet safely in person and that the County of Los Angeles and other agencies still recommend social distancing such that each Board and its Committees shall hold teleconference meetings for the next 30 days as part of hybrid meetings also in person, so long as the State of Emergency remains in effect, and if so, direct staff to comply with the agenda and public comment requirements of the statute. Action taken by each Board will only apply to that Board and its Committees.

If the required findings are made, starting with the November 2022 meetings, teleconference technology will be used as part of hybrid Board and Committee meetings conducted by teleconference and in person at LACERA's Pasadena offices.

c:	Santos H. Kreimann	Luis Lugo	JJ Popowich
	Jonathan Grabel	Laura Guglielmo	Carly Ntoya



October 25, 2022

**TO:** Trustees, Board of Retirement

**FOR:** Board of Retirement Meeting on November 2, 2022

**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 2, 2022

## BENEFIT APPROVAL LIST

### SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ROBERT ALDANA JR	L A COUNTY FIRE DEPT Dept.#FR	10-31-2022	32 YRS ½ MOS
DANNY J. AUGUSTA	L A COUNTY FIRE DEPT Dept.#FR	11-04-2022	27 YRS 05½ MOS
ALLEN S. BURSEY	L A COUNTY FIRE DEPT Dept.#FR	11-01-2022	20 YRS 06½ MOS
ERIC E. BUSH	L A COUNTY FIRE DEPT Dept.#FR	11-11-2022	27 YRS 05 MOS
JAMES A. CALDERON	L A COUNTY FIRE DEPT Dept.#FR	11-30-2022	25 YRS 08 MOS
DENNIS L. CLARK	L A COUNTY FIRE DEPT Dept.#FR	11-25-2022	17 YRS 05 MOS
DENNIS R. CROSS	L A COUNTY FIRE DEPT Dept.#FR	10-04-2022	33 YRS 09½ MOS
KENNETH W. DELLINGER JR	L A COUNTY FIRE DEPT Dept.#FR	10-29-2022	30 YRS 04½ MOS
FROILAN A. DINCO	SHERIFF Dept.#SH	10-29-2022	31 YRS 08 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
WILLIAM R. FOLTZ	L A COUNTY FIRE DEPT Dept.#FR	09-18-2022	01 YRS 11 MOS
JACOB S. GUBRAN	SHERIFF Dept.#SH	10-29-2022	31 YRS 00 MOS
WILLIAM D. HALE III	L A COUNTY FIRE DEPT Dept.#FR	12-31-2022	39 YRS 09½ MOS
MICHAEL A. HERRERA	SHERIFF Dept.#SH	10-30-2022	31 YRS 05 MOS
ROBERT L. HILL J R.	SHERIFF Dept.#SH	10-29-2022	28 YRS 00 MOS
SCOTT A. HOGLUND	SHERIFF Dept.#SH	11-12-2022	33 YRS 11½ MOS
MARC A. LASHLEY	SHERIFF Dept.#SH	11-30-2022	23 YRS 00 MOS
DARIN R. LININGER	L A COUNTY FIRE DEPT Dept.#FR	11-26-2022	17 YRS 05 MOS
DONALD A. LORD	SHERIFF Dept.#SH	10-30-2022	33 YRS 02 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ROBERT G. MAYBURY JR	SHERIFF Dept.#SH	10-20-2022	33 YRS 05 MOS
THOMAS R. MERRILL	L A COUNTY FIRE DEPT Dept.#FR	10-28-2022	33 YRS 04 MOS
SCOTT K. MILLER	SHERIFF Dept.#SH	10-29-2022	36 YRS 03 MOS
MICHAEL C. NOTHERN	L A COUNTY FIRE DEPT Dept.#FR	11-03-2022	33 YRS 06½ MOS
ROBERT S. NOWACZYK	L A COUNTY FIRE DEPT Dept.#FR	11-20-2022	23 YRS 08½ MOS
JOSE I. REVELES	SHERIFF Dept.#SH	11-02-2022	33 YRS 10½ MOS
SUSANA RODRIGUEZ	SHERIFF Dept.#SH	10-18-2022	28 YRS 04 MOS
MARC W. SCHULTZ	SHERIFF Dept.#SH	10-29-2022	32 YRS 08½ MOS
ROBERT J. SHICK	L A COUNTY FIRE DEPT Dept.#FR	11-01-2022	21 YRS 10½ MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022**

**BENEFIT APPROVAL LIST**

**SAFETY MEMBER APPLICATIONS FOR: SERVICE RETIREMENT**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
TIMOTHY VANDERLEEK	SHERIFF Dept.#SH	10-29-2022	26 YRS 00 MOS
DAVID L. WALLANDER	L A COUNTY FIRE DEPT Dept.#FR	09-16-2022	32 YRS 11 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
IBRAHIM M. ABDEL-FATAH	AGRICULTURAL COMM./WTS & MEAS. Dept.#AW	11-01-2022	21 YRS 02½ MOS
CECILIA O. ADIMORA	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-31-2022	25 YRS 01½ MOS
BERNADETTE AGUIRRE	CHILD SUPPORT SERVICES Dept.#CD	10-29-2022	44 YRS 09 MOS
CYNTHIA ALLEN	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-29-2022	33 YRS 04 MOS
MAURICE F. ALLMOND	PROBATION DEPARTMENT Dept.#PB	10-28-2022	42 YRS 11 MOS
NORMA AMPERANO	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	28 YRS 04½ MOS
BERNADETTE ANENE	PUBLIC HEALTH PROGRAM Dept.#PH	11-26-2022	32 YRS 01 MOS
TSOVINAR V. AREVYAN	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	10-26-2022	18 YRS 05 MOS
MARK ARIZMENDI	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-26-2022	28 YRS 05 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
LORI W. ARNOLD	MENTAL HEALTH Dept.#MH	10-13-2022	17 YRS 05 MOS
ANTOINETTE AVIGNONE	L A COUNTY FIRE DEPT Dept.#FR	11-30-2022	27 YRS 05 MOS
ERMINE AZARYAN	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	11-30-2022	29 YRS 08 MOS
ESTELA BARRERA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-22-2022	27 YRS 09½ MOS
ALFRED O. BAYLOR	PROBATION DEPARTMENT Dept.#PB	09-30-2022	33 YRS 01 MOS
JESUS M. BAZAN	PUBLIC DEFENDER Dept.#PD	09-30-2022	08 YRS 04 MOS
HECTOR BEDOYA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	37 YRS 04 MOS
OMAR W. BELEER OWENS	MENTAL HEALTH Dept.#MH	10-28-2022	12 YRS 10 MOS
ROBIN BERKOVITZ	PUBLIC DEFENDER Dept.#PD	12-31-2022	33 YRS 03½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
CRISPIN BERNABE	PUBLIC WORKS Dept.#PW	10-11-2022	34 YRS 08½ MOS
KATHY D. BETHA	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	10-30-2022	31 YRS 03 MOS
CONSTANCE D. BEVERLY	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-28-2022	47 YRS 10 MOS
MARC W. BLUMENREICH	SUPERIOR COURT/COUNTY CLERK Dept.#SC	12-01-2022	37 YRS 06½ MOS
BRIAN BOWDEN	CHILD SUPPORT SERVICES Dept.#CD	09-30-2022	25 YRS 04 MOS
GONZELLA BRAME	CHILDREN & FAMILY SERVICES Dept.#CH	10-31-2022	42 YRS 07½ MOS
MARY BRANDON	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-29-2022	42 YRS 08 MOS
MARIA A. CABRERA	CHILD SUPPORT SERVICES Dept.#CD	10-01-2022	44 YRS 05½ MOS
SARITA CAMPBELL	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-30-2022	21 YRS 04 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
THERESA CARNES	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-01-2022	33 YRS 07½ MOS
CECILIA L. CARTER	L A COUNTY FIRE DEPT Dept.#FR	10-29-2022	29 YRS 06½ MOS
NATALIE CASTILLO	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	27 YRS 10 MOS
GUADALUPE CASTILLO	PROBATION DEPARTMENT Dept.#PB	10-29-2022	16 YRS 09½ MOS
MOSES S. CHANG	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-31-2022	25 YRS 01½ MOS
SOTHI CHEA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	29 YRS 10 MOS
LAWRENS H. CHEVEZ	PROBATION DEPARTMENT Dept.#PB	10-17-2022	35 YRS 06 MOS
JOHN CHIANG	PUBLIC WORKS Dept.#PW	09-30-2022	19 YRS 06 MOS
RODERICK M. CHILDS	PROBATION DEPARTMENT Dept.#PB	10-27-2022	34 YRS 00 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ANGELA CHIN	PUBLIC HEALTH PROGRAM Dept.#PH	10-30-2022	31 YRS 06 MOS
ANA G. CHINCHILLA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-29-2022	25 YRS 03 MOS
NENITA CHIU-ONG	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-18-2022	27 YRS 01 MOS
TED CHUE	INTERNAL SERVICES Dept.#IS	10-06-2022	40 YRS 08½ MOS
ROBERT C. CLENDENING	PUBLIC WORKS Dept.#PW	01-17-2023	40 YRS 02 MOS
TIFFANY COLLINS	CHILDREN & FAMILY SERVICES Dept.#CH	11-28-2022	32 YRS 01½ MOS
MELTON R. COLLINS	CHILDREN & FAMILY SERVICES Dept.#CH	11-30-2022	12 YRS 01½ MOS
KATHI M. CONDIFF	SHERIFF Dept.#SH	09-30-2022	43 YRS 04 MOS
PATRICIA R. COOK	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-29-2022	26 YRS 08 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
LISA CRUZ	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	10-31-2022	34 YRS 10½ MOS
MARY JO CYSEWSKI	CHILDREN & FAMILY SERVICES Dept.#CH	09-27-2022	28 YRS 01 MOS
MURIEL C. DANIELS	INTERNAL SERVICES Dept.#IS	11-15-2022	20 YRS 05½ MOS
ROSALYN R. DAVENPORT	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-29-2022	32 YRS 05 MOS
LINDA DAVIS	CHILDREN & FAMILY SERVICES Dept.#CH	10-30-2022	16 YRS 02 MOS
MANUEL F. DE LEON JR	TREASURER AND TAX COLLECTOR Dept.#TT	10-28-2022	30 YRS 10 MOS
EDNA N. DE RAMOS	CORRECTIONAL HEALTH Dept.#HC	10-29-2022	16 YRS 00 MOS
JOSEBEL DEGUZMAN-NAT	CORRECTIONAL HEALTH Dept.#HC	10-29-2022	25 YRS 06 MOS
MICHAEL E. DUGAN	PROBATION DEPARTMENT Dept.#PB	10-31-2022	20 YRS 10 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
RICKY V. EDWARDS	PUBLIC WORKS Dept.#PW	10-31-2022	36 YRS 04½ MOS
NORA ERVIN	CHILDREN & FAMILY SERVICES Dept.#CH	10-30-2022	26 YRS 08 MOS
JOE M. ESPINOSA	PROBATION DEPARTMENT Dept.#PB	10-01-2022	35 YRS ½ MOS
ISMAEL S. ESTAL	SHERIFF Dept.#SH	09-30-2022	15 YRS 00 MOS
TANISHA S. EVERAGE	SHERIFF Dept.#SH	09-16-2022	06 YRS 05 MOS
RANDOLPH R. FAVEAU	MENTAL HEALTH Dept.#MH	09-30-2022	27 YRS 00 MOS
PAULA H. FERRY	PUBLIC HEALTH PROGRAM Dept.#PH	10-28-2022	31 YRS 10½ MOS
LINDA L. GANT	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-12-2022	31 YRS 11 MOS
ESMERALDA GARCIA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	12-01-2022	37 YRS 05½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
HIGINIO GARCIA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-31-2022	32 YRS 08½ MOS
TANYA R. GONZALES	SHERIFF Dept.#SH	11-15-2022	43 YRS 00 MOS
ROSIE GONZALEZ	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	09-30-2022	36 YRS 01 MOS
ELLA L. GRANSTON	MENTAL HEALTH Dept.#MH	11-30-2022	43 YRS 04½ MOS
THELMA F. GRAY	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	11-30-2022	32 YRS 05 MOS
HELEN A. GUEVARA	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	11-30-2022	25 YRS 08 MOS
LUIS A. GUIJARRO	PROBATION DEPARTMENT Dept.#PB	09-30-2022	15 YRS ½ MOS
APRIL L. HAGERTY	MENTAL HEALTH Dept.#MH	10-29-2022	25 YRS 04 MOS
KRISTINA T. HAJJAR	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	31 YRS 00 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
DON H. HANCOCK	SHERIFF Dept.#SH	10-30-2022	25 YRS 08 MOS
CAROLYNE HEAROD	TREASURER AND TAX COLLECTOR Dept.#TT	10-29-2022	30 YRS 09 MOS
PAUL A. HENDERSON	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-28-2022	42 YRS 02 MOS
DAVID HERNANDEZ	L A COUNTY FIRE DEPT Dept.#FR	11-30-2022	49 YRS 08 MOS
JOSEPH V. HERNANDEZ	AMBULATORY CARE NETWORK Dept.#HN	11-26-2022	30 YRS 04 MOS
CARMEN V. HIGAREDA	REG-RECORDER/COUNTY CLERK Dept.#RR	11-15-2022	42 YRS 08½ MOS
BETTIE J. HILL	CORRECTIONAL HEALTH Dept.#HC	10-01-2022	40 YRS 08½ MOS
SEONG D. HONG	REG-RECORDER/COUNTY CLERK Dept.#RR	12-31-2022	30 YRS 08½ MOS
NEREYDA M. HORTON	AMBULATORY CARE NETWORK Dept.#HN	09-30-2022	21 YRS 03½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
MARIA D. HOYOS	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-30-2022	47 YRS 07 MOS
CRYSTAL SOO J. HYUN	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	09-30-2022	10 YRS 00 MOS
MARY ANN Y. JABAT	CORRECTIONAL HEALTH Dept.#HC	11-15-2022	15 YRS 00 MOS
ISAAC JACKSON	CHILDREN & FAMILY SERVICES Dept.#CH	10-31-2022	08 YRS 01½ MOS
TITA P. JAMES	INTERNAL SERVICES Dept.#IS	09-16-2022	44 YRS 06 MOS
NYLA JEFFERSON	BOARD OF SUPERVISORS Dept.#BS	10-31-2022	35 YRS 10½ MOS
CRISTELA JURBINA	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-05-2022	34 YRS 06½ MOS
RANDYE KAY	MENTAL HEALTH Dept.#MH	09-03-2022	02 YRS 08 MOS
WILLIAM J. KAZ	MENTAL HEALTH Dept.#MH	09-23-2022	32 YRS 06 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
KIMBERLY K. KIM	JUVENILE COURT HEALTH SERVICES Dept.#HJ	10-29-2022	20 YRS 04 MOS
DONNA KLEIN	DISTRICT ATTORNEY Dept.#DA	10-01-2022	38 YRS 10½ MOS
SHEILA KUEHL	BOARD OF SUPERVISORS Dept.#BS	12-05-2022	07 YRS 11½ MOS
ANNA L. KWOK	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-29-2022	16 YRS 01 MOS
ANTONIO LACSAMANA	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-31-2022	25 YRS 11½ MOS
LESSLIE A. LAMB	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	10-29-2022	27 YRS 07 MOS
CAROLYN D. LEWIS	CHILDREN & FAMILY SERVICES Dept.#CH	10-31-2022	29 YRS ½ MOS
HENRY J. LIN	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-05-2022	30 YRS 03½ MOS
JOSE D. LOPEZ	PROBATION DEPARTMENT Dept.#PB	10-11-2022	33 YRS 04½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ALFONSO LOPEZ ROQUE	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-20-2022	15 YRS 07 MOS
HIPOLITO LUCERO	PUBLIC WORKS Dept.#PW	09-26-2022	25 YRS 07 MOS
DEO R. LUCIANO	SUPERIOR COURT/COUNTY CLERK Dept.#SC	12-31-2022	32 YRS ½ MOS
NATHANIEL A. LUMPKIN JR	PROBATION DEPARTMENT Dept.#PB	10-31-2022	35 YRS 03½ MOS
DENISE LUTZ	SUPERIOR COURT/COUNTY CLERK Dept.#SC	11-08-2022	34 YRS 04½ MOS
MINH MA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-15-2022	16 YRS 03½ MOS
LUISA MACIAS	CHILDREN & FAMILY SERVICES Dept.#CH	10-15-2022	31 YRS 03½ MOS
YOLANDA M. MAGANA	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-01-2022	42 YRS 08½ MOS
RUZANNA MALANOK	MENTAL HEALTH Dept.#MH	11-30-2022	23 YRS 09 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
SOLEDAD C. MANI	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	09-30-2022	22 YRS 03½ MOS
MONICA MANSFIELD	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	09-20-2022	12 YRS 05½ MOS
MYLENE A. MARCILLA	CHILD SUPPORT SERVICES Dept.#CD	10-31-2022	25 YRS 02½ MOS
VICTOR R. MARTIN	ASSESSOR Dept.#AS	10-29-2022	35 YRS 11 MOS
LINDA MARTINEZ	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	42 YRS 00 MOS
RICHARD S. MARTINEZ	PROBATION DEPARTMENT Dept.#PB	11-01-2022	34 YRS 09½ MOS
CHRISTOPHER MASTRO	PUBLIC HEALTH PROGRAM Dept.#PH	10-31-2022	37 YRS 05½ MOS
PAUL MATSUOKA	PUBLIC HEALTH PROGRAM Dept.#PH	09-30-2022	38 YRS 08 MOS
CRAIG A. MATZEK	PUBLIC WORKS Dept.#PW	11-26-2022	25 YRS 00 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ROAL MAURIES	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-27-2022	35 YRS 03½ MOS
MICHELE A. MAXEY	MENTAL HEALTH Dept.#MH	10-29-2022	27 YRS 08 MOS
MICHAEL C. MCKENNA	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-29-2022	15 YRS 01 MOS
ROZA MELKOMIAN	PROBATION DEPARTMENT Dept.#PB	10-18-2022	20 YRS 09½ MOS
HELEN M. MEMIJE	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-29-2022	34 YRS 05 MOS
EMILIO A. MENDEZ	SHERIFF Dept.#SH	10-29-2022	32 YRS 04 MOS
KATHYLEEN T. MESA	INTERNAL SERVICES Dept.#IS	11-01-2022	19 YRS 01 MOS
ALMAZ MOGES	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	12-31-2022	25 YRS 10½ MOS
ADRIAN E. MOLETT	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-14-2022	25 YRS 01½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
DIANNA B. MONTES	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-29-2022	38 YRS 02 MOS
VERONICA G. MOORE	PUBLIC HEALTH PROGRAM Dept.#PH	10-29-2022	42 YRS 01½ MOS
BEVERLY S. MOSKOWITZ	SHERIFF Dept.#SH	10-29-2022	42 YRS 02 MOS
AMY S. NAAMANI	COUNTY COUNSEL Dept.#CC	10-16-2022	12 YRS 02 MOS
CAROLYN NAKAKI	DISTRICT ATTORNEY Dept.#DA	10-29-2022	38 YRS 08 MOS
THUY B. NGUYEN	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-29-2022	36 YRS 01 MOS
THI T. NGUYEN	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	12-01-2022	22 YRS 08½ MOS
TUAN N. NGUYEN	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-16-2022	15 YRS 10½ MOS
EMMANUEL K. OFORI	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	10-31-2022	16 YRS 04½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
CINDY Y. OH	AGING DEPARTMENT Dept.#AG	10-29-2022	25 YRS 01½ MOS
MARIAN H. ORR	AGING DEPARTMENT Dept.#AG	12-31-2022	25 YRS 01½ MOS
VICTORIA OSBORN	BOARD OF SUPERVISORS Dept.#BS	12-05-2022	07 YRS 11½ MOS
JUSTINA M. OTAROLA	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	11-26-2022	36 YRS 00 MOS
WILLIAM OWEN	INTERNAL SERVICES Dept.#IS	10-01-2022	22 YRS ½ MOS
ETNA L. PALENCIA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-29-2022	15 YRS 09½ MOS
MANUEL F. PANGA	CORRECTIONAL HEALTH Dept.#HC	10-07-2022	12 YRS 05½ MOS
HAROLD L. PATTERSON J.R.	INTERNAL SERVICES Dept.#IS	10-31-2022	27 YRS 07½ MOS
MARIA J. PERALTA	AMBULATORY CARE NETWORK Dept.#HN	09-30-2022	17 YRS 10 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
EMELIDA PORTILLO	AMBULATORY CARE NETWORK Dept.#HN	10-28-2022	33 YRS 05½ MOS
FLAVIO M. POSSE	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-31-2022	16 YRS 02½ MOS
EDNA J. QUEVEDO	SHERIFF Dept.#SH	11-12-2022	19 YRS 10½ MOS
TONYA D. QUINN	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-30-2022	35 YRS 04 MOS
ESMERALDA RAMIREZ	SHERIFF Dept.#SH	11-30-2022	38 YRS 01 MOS
SUSANA RAMIREZ	AMBULATORY CARE NETWORK Dept.#HN	10-29-2022	06 YRS 11½ MOS
ELSA RANGEL	INTERNAL SERVICES Dept.#IS	10-29-2022	41 YRS 05 MOS
PHILLIP RICKS	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	11-11-2022	41 YRS 10½ MOS
SAMUEL RIVAS	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	26 YRS 05 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
LOURDES G. RIVERA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-11-2022	20 YRS 03 MOS
DEBRA L. ROBINSON	CHILDREN & FAMILY SERVICES Dept.#CH	11-01-2022	24 YRS ½ MOS
KEITH ROBINSON	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-26-2022	42 YRS 08 MOS
MARY H. RODRIGUEZ	SUPERIOR COURT/COUNTY CLERK Dept.#SC	11-30-2022	30 YRS 01 MOS
PAUL ROMEO	SHERIFF Dept.#SH	10-01-2022	21 YRS 06½ MOS
BARBARA J. RONDINONE	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-15-2022	38 YRS 05½ MOS
AIDA RUPENIAN	MENTAL HEALTH Dept.#MH	12-31-2022	16 YRS ½ MOS
FATEMEH SAFAVI	MENTAL HEALTH Dept.#MH	10-29-2022	14 YRS 06 MOS
SANDRA L. SAMUELS	PROBATION DEPARTMENT Dept.#PB	10-30-2022	22 YRS 04 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
MARIA G. SANCHEZ	PUBLIC HEALTH PROGRAM Dept.#PH	10-29-2022	38 YRS 01 MOS
TERESA D. SANDOVAL	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	20 YRS 00 MOS
PARAM SAROYA	MENTAL HEALTH Dept.#MH	10-29-2022	21 YRS 02 MOS
NUSRAT A. SHAKEEL	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-29-2022	16 YRS 03 MOS
DEBORAH L. SIMS	PROBATION DEPARTMENT Dept.#PB	09-18-2022	13 YRS 07 MOS
JENNIFER L. SNYDER	DISTRICT ATTORNEY Dept.#DA	11-15-2022	33 YRS 03½ MOS
DORA SOBOTIE	CORRECTIONAL HEALTH Dept.#HC	10-29-2022	15 YRS 09½ MOS
LUZ M. SOSA	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	10-29-2022	36 YRS 01 MOS
KEIRA K. SPITZER	SHERIFF Dept.#SH	11-26-2022	40 YRS 10 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
SAMVEL STEPANIAN	CHILDREN & FAMILY SERVICES Dept.#CH	12-31-2022	25 YRS ½ MOS
TAMARA SWANSON	CHILDREN & FAMILY SERVICES Dept.#CH	09-30-2022	24 YRS 11½ MOS
PATTI SWITZER	PUBLIC WORKS Dept.#PW	10-15-2022	21 YRS 05½ MOS
MILAGROS ELI P. TAN	CORRECTIONAL HEALTH Dept.#HC	11-30-2022	21 YRS 08 MOS
CONNIE TANG	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	33 YRS 04 MOS
PADUMA S. THIO	SHERIFF Dept.#SH	10-28-2022	15 YRS 07 MOS
JOHNNY H. THOMAS	MENTAL HEALTH Dept.#MH	11-30-2022	10 YRS 00 MOS
CELESTINE THOMAS	SHERIFF Dept.#SH	09-16-2022	51 YRS 03½ MOS
MACHAELE D. THOMAS	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-30-2022	34 YRS 03 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
WILLIE J. THOMAS	PROBATION DEPARTMENT Dept.#PB	10-01-2022	30 YRS 06 MOS
CAROLYN THOMPSON	SUPERIOR COURT/COUNTY CLERK Dept.#SC	11-26-2022	32 YRS 09 MOS
OFELIA J. TORIO	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	10-28-2022	40 YRS 04 MOS
BARBARA L. TOUCHARD	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	08-31-2022	29 YRS 08½ MOS
RONALD L. TRIPP	PUBLIC DEFENDER Dept.#PD	09-30-2022	16 YRS 01 MOS
KIMBERLI R. TRUMBLE	SUPERIOR COURT/COUNTY CLERK Dept.#SC	11-26-2022	22 YRS 05 MOS
GERTRUDE TYRONE	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	17 YRS 06 MOS
GREGORY N. UEHLEIN	PUBLIC HEALTH PROGRAM Dept.#PH	11-15-2022	13 YRS 03½ MOS
GABRIELLE V. VARGA	SHERIFF Dept.#SH	10-29-2022	25 YRS 00 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ALICIA VERA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	16 YRS 03 MOS
RUBEN C. VILLAFRANCA	MENTAL HEALTH Dept.#MH	10-29-2022	16 YRS 06 MOS
CARMEN M. VILLALOBOS	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	09-17-2022	41 YRS 04 MOS
SUSIE VILLALOVOS	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	11-30-2022	36 YRS 10½ MOS
CHIA-LING H. WANG	CORRECTIONAL HEALTH Dept.#HC	09-30-2022	15 YRS 00 MOS
TRINIA L. WATKINS	CHILDREN & FAMILY SERVICES Dept.#CH	10-28-2022	34 YRS 03 MOS
SARAH A. WATSON	SHERIFF Dept.#SH	09-30-2022	33 YRS 08 MOS
DARLENE E. WILSON	CORRECTIONAL HEALTH Dept.#HC	09-30-2022	25 YRS 00 MOS
LINDA L. WOODS	PUBLIC HEALTH PROGRAM Dept.#PH	11-01-2022	43 YRS 11½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ROSETTA WRIGHT	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-31-2022	05 YRS ½ MOS
LORETTA WRIGHT	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-29-2022	25 YRS 02 MOS
JOYCE R. WYATT	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-30-2022	42 YRS 09½ MOS
ANAIT YESAYAN	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-26-2022	31 YRS 11 MOS
MICHAEL A. YGLECIAS	DISTRICT ATTORNEY Dept.#DA	12-01-2022	39 YRS ½ MOS
CLAIR YOUNG	MENTAL HEALTH Dept.#MH	11-12-2022	22 YRS 02½ MOS
GHAYANE ZAKARIAN	PUBLIC WORKS Dept.#PW	10-28-2022	37 YRS 02 MOS
SILVART ZARGARIAN	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-31-2022	23 YRS 01 MOS
MARGO D. ZEIGLER	INTERNAL SERVICES Dept.#IS	10-31-2022	40 YRS 04 MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022**

**BENEFIT APPROVAL LIST**

**GENERAL MEMBER APPLICATIONS FOR: SERVICE RETIREMENT**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
MARIA ZELADA	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	11-30-2022	28 YRS 10 MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022**

**BENEFIT APPROVAL LIST**

**SAFETY SURVIVOR APPLICATIONS**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
JENNIFER SEIBEL	SHERIFF Dept.#SH	09-12-2022	32 YRS 01½ MOS
WIFE of MARK R SEIBEL dec'd on 09-11-2022, Sect. #31781.3			

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

### GENERAL SURVIVOR APPLICATIONS

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
SYNAIA BOLEN HOLT  DAUGHTER of SONYA R BOLEN dec'd on 08-02-2021, Sect. #31781.3	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	08-03-2021	23 YRS 02½ MOS
GIANNA CUSTODIO  SPOUSE of EDGAR S LAMPANO dec'd on 01-26-2022, Sect. #31781.1	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	01-27-2022	05 YRS 11 MOS
LORNA A. GARCIA  WIFE of EMILIO A GARCIA dec'd on 07-27-2022, Sect. #31781.3	SUPERIOR COURT/COUNTY CLERK Dept.#SC	07-28-2022	26 YRS 02 MOS
PAUL LIU  HUSBAND of PAMELA H HA dec'd on 08-02-2022, Sect. #31781.1	CHILDREN & FAMILY SERVICES Dept.#CH	08-03-2022	32 YRS 01½ MOS
GEORGE TENDENG  HUSBAND of MARIBEL GONZALEZ dec'd on 08-31-2020, Sect. #31781.3	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	09-01-2020	12 YRS 07½ MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022**

**BENEFIT APPROVAL LIST**

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
JUAN C. RODRIGUEZ	SHERIFF Dept.#SH	07-07-2022	00 YRS 05 MOS
NICKOLAS G. SPATHOPOULOS	DISTRICT ATTORNEY Dept.#DA	09-13-2022	05 YRS 05 MOS
STEVEN L. SPRULL	SHERIFF Dept.#SH	06-24-2022	02 YRS 02 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
FERDINAND AGARPAO	PROBATION DEPARTMENT Dept.#PB	10-11-2022	07 YRS 03 MOS
WENLIN ANDRADE	SFV CLUSTER-OLIVE VIEW/UCLA MC Dept.#HO	07-30-2022	10 YRS 11 MOS
LISA C. CALCUT	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-17-2022	06 YRS 03 MOS
GILBERT CARLOS	CHILDREN & FAMILY SERVICES Dept.#CH	09-08-2022	18 YRS 09 MOS
LUCITA CASTRO	COASTAL CLUSTER-HARBOR/UCLA MC Dept.#HH	10-31-2022	24 YRS 02½ MOS
ENRIQUE CHAVEZ	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	09-24-2022	07 YRS 10½ MOS
JOAN M. CHROSTEK	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-26-2022	20 YRS 03½ MOS
MARIANNE R. COLE	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-27-2022	34 YRS 04 MOS
THERESA J. CULVER	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	10-08-2022	05 YRS 09 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
MARY P. DAVOREN	HEALTH SERVICES ADMINISTRATION Dept.#HS	09-29-2022	15 YRS 06½ MOS
HALIM DHANIDINA	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-06-2022	14 YRS 02½ MOS
PEDER W. ERIKSSON J R	PUBLIC HEALTH PROGRAM Dept.#PH	12-31-2022	06 YRS 04 MOS
PAUL G. GONZALES	PARKS AND RECREATION Dept.#PK	09-27-2022	09 YRS 09 MOS
EMILIO GONZALEZ	PROBATION DEPARTMENT Dept.#PB	09-08-2022	25 YRS 09 MOS
BARBARA HARVEST	CHILDREN & FAMILY SERVICES Dept.#CH	09-28-2022	09 YRS 11 MOS
KATHY L. HENSLEY-WILS	RANCHO LOS AMIGOS HOSPITAL Dept.#HR	09-06-2022	14 YRS 00 MOS
KERI A. HIGASHI	SHERIFF Dept.#SH	10-26-2022	08 YRS 09 MOS
REGINA L. HORNSBY	SHERIFF Dept.#SH	09-21-2022	21 YRS 03½ MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ROBERTO G. IGNACIO	ANIMAL CONTROL Dept.#AN	09-28-2022	33 YRS 09½ MOS
TAKEO ISHII	PUBLIC WORKS Dept.#PW	07-16-2022	01 YRS 04 MOS
DONALD J. JOHNSON	SHERIFF Dept.#SH	09-13-2022	12 YRS 08 MOS
CASSANDRA KING	PROBATION DEPARTMENT Dept.#PB	09-23-2022	24 YRS 07 MOS
SAUNDRA T. LAWSON	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	10-05-2022	18 YRS 11 MOS
LILY LUI	CHILD SUPPORT SERVICES Dept.#CD	09-14-2022	12 YRS 08 MOS
KERRIE K. MATTSON	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-30-2022	10 YRS 02 MOS
JOEL NARANJO	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	06-18-2022	04 YRS 11 MOS
MARILYN M. NEPOMUCENO	CHILDREN & FAMILY SERVICES Dept.#CH	01-05-2021	01 YRS 09 MOS

# BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022

## BENEFIT APPROVAL LIST

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
ERIC A. NGUYEN	MENTAL HEALTH Dept.#MH	10-01-2022	05 YRS 11½ MOS
ROSIE L. PUGH	CHILDREN & FAMILY SERVICES Dept.#CH	09-20-2022	43 YRS 04½ MOS
STUART T. REKART	PUBLIC HEALTH PROGRAM Dept.#PH	10-04-2022	08 YRS 07½ MOS
KELLY L. ROBBINS	SUPERIOR COURT/COUNTY CLERK Dept.#SC	09-19-2022	40 YRS 01½ MOS
RICARDO SANDOVAL		04-30-2022	01 YRS 03 MOS
GEORGINE SCOTT-CODIGA	SHERIFF Dept.#SH	10-20-2022	05 YRS 07 MOS
ANITA M. STONE	PROBATION DEPARTMENT Dept.#PB	08-31-2022	15 YRS 04 MOS
BEATRICE E. SWAFFORD	NORTHEAST CLUSTER (LAC+USC) Dept.#HG	07-06-2022	16 YRS 04 MOS
JUAN Z. TORRES	TREASURER AND TAX COLLECTOR Dept.#TT	09-25-2022	16 YRS 03 MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022**

**BENEFIT APPROVAL LIST**

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>RETIRED</u>	<u>SERVICE</u>
AIFONG UENE	DEPT OF PUBLIC SOCIAL SERVICES Dept.#SS	09-12-2022	29 YRS 01 MOS
CHRISTOPHER G. WASHINGTON	SUPERIOR COURT/COUNTY CLERK Dept.#SC	10-07-2022	28 YRS 10 MOS

**BOARD OF RETIREMENT MEETING OF NOVEMBER 2, 2022  
RESCISSIONS/CHANGES FROM BENEFIT APPROVAL LIST  
APPROVED ON OCTOBER 6, 2022**

**SAFETY MEMBER APPLICATIONS FOR SERVICE RETIREMENT**

<b>NAME</b>	<b>DEPARTMENT</b>	<b>UPDATE</b>
KENNETH BUSH	L A COUNTY FIRE DEPT	CHANGE OF DATE TO October 1, 2022
JUDY A ANDERSON	SHERIFF	CHANGE OF DATE TO November 5, 2022

**GENERAL MEMBER APPLICATIONS FOR SERVICE RETIREMENT**

<b>NAME</b>	<b>DEPARTMENT</b>	<b>UPDATE</b>
AVIS L LIVINGSTON	SUPERIOR COURT/COUNTY CLERK	CHANGE OF DATE TO September 24, 2022
DIRK R KUIKEN	MENTAL HEALTH	CHANGE OF DATE TO December 1, 2022
ROBERT D CADENA	CHIEF EXECUTIVE OFFICE	CHANGE OF DATE TO December 1, 2022
CHRISTINE T DAUZ	CORRECTIONAL HEALTH	CHANGE OF DATE TO December 1, 2022
REBECCA A KARAMINASSIAN	NORTHEAST CLUSTER (LAC+USC)	CHANGE OF DATE TO December 31, 2022
HADRIAN Y ROBLES	CORRECTIONAL HEALTH	RESCISSION OF RETIREMENT
JENNY MING-JIUA WANG	SHERIFF	CHANGE OF DATE TO October 15, 2022



October 20, 2022

TO: Trustees – Board of Retirement

FROM: Fern M. Billigy   
Senior Staff Counsel

DATE: Board of Retirement Meeting of November 2, 2022

SUBJECT: **COMPENSATION EARNABLE AND PENSIONABLE COMPENSATION**

### **INTRODUCTION**

The Board of Retirement is charged with determining which items of compensation qualify as pensionable earnings includable in the member's retirement allowance. The Superior Court for the County of Los Angeles recently requested determination of five items of compensation. Based on our review, we have included recommendations regarding inclusion or exclusion within the definition of "final compensation" when calculating a member's benefit. Our analysis of these items is attached as Exhibit A for review.

### **COMPENSATION EARNABLE**

In January of 1998, the Board determined that, pursuant to the California Supreme Court's decision in Ventura County Deputy Sheriff's Association v. County of Ventura (1997) 16 Cal. 4<sup>th</sup> 483, certain items of remuneration must be included in the definition of "compensation earnable." The Board then adopted Resolution 98-001 identifying those items. Since that time, other Resolutions have been adopted when new items of compensation are determined to be included in or excluded from the definition of "compensation earnable." In making those determinations, the Board reviewed analysis of all items of compensation and adopted recommendations from the Legal Office regarding the definition of "compensation earnable."

Section 31461 defines "compensation earnable." It states:

- (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade

or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed “compensation earnable” when earned, rather than when paid.

- (b) “Compensation earnable” does not include, in any case, the following:
- (1) Any compensation determined by the board to have been paid to enhance a member’s retirement benefit under that system. That compensation may include:
    - (A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.
    - (B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member’s grade or class.
    - (C) Any payment that is made solely due to the termination of the member’s employment, but is received by the member while employed, except those payments that do not exceed what is earned and payable in each 12-month period during the final average salary period regardless of when reported or paid.
  - (2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned and payable in each 12-month period during the final average salary period, regardless of when reported or paid.
  - (3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

- (4) Payments made at the termination of employment, except those payments that do not exceed what is earned and payable in each 12-month period during the final average salary period, regardless of when reported or paid.
- (c) The terms of subdivision (b) are intended to be consistent with and not in conflict with the holdings in *Salus v. San Diego County Employees Retirement Association* (2004) 117 Cal.App.4th 734 and *In re Retirement Cases* (2003) 110 Cal.App.4th 426.

### **PENSIONABLE COMPENSATION**

With the enactment of the California Public Employees' Pension Act of 2013 (PEPRA), new members are subject to the definition of "pensionable compensation" in Section 7522.34(a), which states:

"Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of a member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules. (Emphasis added).

This section provides that any compensation outside of base pay may not be included in final compensation when calculating a member's retirement allowance. However, "base pay" is not defined in the statute. The section goes on to specifically delineate which items of compensation should be excluded.

Subdivision (c) states:

"Pensionable compensation" does not include the following:

- (1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.
- (2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other

- than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.
- (3) Any one-time or ad hoc payments made to a member.
  - (4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.
  - (5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.
  - (6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.
  - (7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.
  - (8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.
  - (9) Employer contributions to deferred compensation or defined contribution.
  - (10) Any bonus paid in addition to the compensation described in subdivision (a).
  - (11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).
  - (12) Any other form of compensation a public retirement board determines should not be pensionable compensation.

#### **ITEMS OF COMPENSATION**

1. COVID-19 Appreciation Payment – Item No. 547

This one-time \$1,500 lump sum payment serves to express appreciation for Superior Court employees whose jobs placed them at heightened risk of

COVID-19 exposure. It is payable to employees in Bargaining Units 860 (Legal Processing), 861 (Court Reporters), and 867 (Supervisory).

This payment should be included for legacy members as it is paid to all similarly situated members based on the average number of days worked by persons in the same grade or class of positions and at the same rate of pay. It should be excluded for PEPRA members as it is an ad hoc payment inconsistent with base pay and not found on publicly available pay schedules.

**Recommendation:** Include under 31461  
Exclude under 7522.34

2. Civic Center Stipend – Item No. TBD

To address the challenges of working in the downtown Civic Center Area, a stipend is paid to full-time permanent Superior Court employees in Bargaining Units 860 (Legal Processing), 861 (Court Reporters), and 867 (Supervisory).

This payment should be included for legacy members as it is paid to all similarly situated members based on the average number of days worked by persons in the same grade or class of positions and at the same rate of pay. It is available to any unit member assigned to this location. It should be excluded for PEPRA members as it is an ad hoc payment inconsistent with base pay and not found on publicly available pay schedules.

**Recommendation:** Include under 31461  
Exclude under 7522.34

3. Equipment Allowance – Item No. 590

This annual \$500 allowance is payable to eligible Superior Court employees who meet the eligibility criteria. It is payable to employees in Bargaining Unit 861 (Court Reporters).

This payment should be included for legacy members as it is paid to all similarly situated members based on the average number of days worked by

persons in the same grade or class of positions and at the same rate of pay. It should be excluded for PEPRA members as it is an ad hoc payment inconsistent with base pay and not found on publicly available pay schedules.

**Recommendation:** Include under 31461  
Exclude under 7522.34

4. Antelope Valley Stipend – Item No. TBD

This \$1,200 allowance is payable to eligible Superior Court employees who meet the eligibility criteria. It is payable to employees in Bargaining Unit 861 (Court Reporters) who are assigned to the Antelope Valley Courthouse who reside within 30 miles of the courthouse.

This payment should be excluded for both legacy and for PEPRA members. For legacy members, it is not paid to all similarly situated members. It is only available to employees who reside within a specific area. For PEPRA members, it is an ad hoc payment inconsistent with base pay and not found on publicly available pay schedules.

**Recommendation:** Exclude under 31461  
Exclude under 7522.34

5. Superior Court New Hire Bonus – Item No. TBD

This \$2,000 allowance is payable to new hires of the Superior Court who remain employed for one year. It is payable at the completion of one year of employment. It is payable to employees in Bargaining Unit 861 (Court Reporters).

This payment should be excluded for both legacy and for PEPRA members. For legacy members, it is not paid to all similarly situated members. It is only available to new employees. For PEPRA members, it is an ad hoc payment inconsistent with base pay and not found on publicly available pay schedules.

**Recommendation:** Exclude under 31461  
Exclude under 7522.34

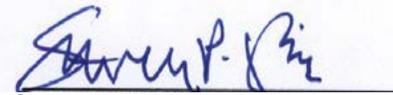
**CONCLUSION**

Consistent with the foregoing, the attached Resolutions of the Board of Retirement specifying pay items as "Compensation Earnable" under Government Code section 31461 and "Pensionable Compensation" under Government Code section 7522.34 are submitted for approval by the Board.

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

1. Adopt the attached Resolutions, No. 2022-BR004, and No. 2022-BR005, specifying pay items as included and excluded from the definitions of "compensation earnable" and "pensionable compensation."
2. Instruct staff to coordinate with the County of Los Angeles to establish necessary reporting mechanism and procedures to permit LACERA to include or exclude these items when calculating final compensation.

Reviewed and Approved



Steven P. Rice  
Chief Counsel

FMB/et  
Attachments

Billiny/BOR/Comp Earn Pen Comp 10.20.22

# Exhibit A

**Attachment: Pay Code Analysis**  
**reviewed under Section 31461 and 7522.34**

Event	Description	Earnings Code Description	31461 Reference	7522.34 Reference	Analysis
<b>INCLUDED under Section 31461 and EXCLUDED under 7522.34</b>					
547	COVID-19 APPRECIATION BONUS	<p>\$1,500 one-time payment available to bargaining unit members on the Court's payroll as of April 28, 2022, and who are still employed by the Court during the effective pay period.</p> <p>Eligible Bargaining Units (BUs) include:</p> <ul style="list-style-type: none"> <li>• Legal Processing Unit (BU 860)</li> <li>• Court Reporters Unit (BU 861)</li> <li>• Supervisory Unit (BU 867)</li> </ul>	(a)	(c)(3) (c)(10)	<p>Although this bonus is considered a one-time or ad hoc payment made to a member, it is payable to all similarly situated members in the member's grade or class. It was not created for the purpose of enhancing a member's retirement benefit. Rather, this bonus was designed to recognize the hard work and sacrifices of these Court employees during challenging times. Therefore, the recommendation is to INCLUDE this one-time payment in compensation earnable for LEGACY members.</p> <p>This one-time bonus constitutes a one-time or ad hoc payment under Section 7522.34 (c)(3) and a bonus paid in addition to the normal rate of base pay under (c)(10). This one-time payment does not appear on a Public Pay Schedule. The recommendation is to EXCLUDE this one-time payment from pensionable compensation for PEPRAs members.</p>
TBD	CIVIC CENTER STIPEND	<p>To address the challenges associated with working in the downtown Civic Center Area, the Court shall provide the following Civic Center Stipend to eligible unit members in BUs 860 (Legal Processing Unit), 861 (Court Reporters Unit), and 867 (Supervisory Unit). Eligible members include:</p> <ul style="list-style-type: none"> <li>• Full-time, permanent unit members who are working in the downtown Civic Center Area as of June 30, 2022, shall receive a payment of \$1200.</li> <li>• Full-time, permanent unit members who are working in the downtown Civic Center Area as of June 30, 2023, shall receive a payment of \$1200.</li> </ul> <p>Civic Center Area includes the following locations: Clara Shortridge Foltz Criminal Justice Center, Stanley Mosk Courthouse, Hall of Records, County Archives (County Mall Phase 2), Spring Street Federal Courthouse.</p> <p>The payments provided shall not be prorated to provide any partial payments for unit members who are not working in the downtown Civic Center Area on the specific qualifying dates. Although eligibility for the Civic Center Stipend is based on working in the downtown Civic Center Area on June 30, 2022 and 2023, the payments will be reflected in employee pay based on the processing timelines set by the Los Angeles County Auditor-Controller as the administrators of the Court's payroll.</p> <p>This payment is effective only for the term of the MOU Agreement, after which it will automatically expire.</p>	(a)	(c)(3) (c)(10)	<p>This stipend is a one-time or ad hoc payment made to a member, which is payable to all similarly situated members in the member's grade or class assigned to specific locations within the Civic Center Area. Members of the affected bargaining units qualify for this payment each year during the term of the MOU Agreement, provided they meet the eligibility criteria for receiving such payment. The recommendation is to INCLUDE this one-time payment in compensation earnable for LEGACY members.</p> <p>This stipend constitutes a one-time or ad hoc payment under Section 7522.34 (c)(3) and a bonus paid in addition to the normal rate of base pay under (c)(10). This one-time payment does not appear on a Public Pay Schedule. The recommendation is to EXCLUDE this one-time payment from pensionable compensation for PEPRAs members.</p>

**Attachment: Pay Code Analysis**  
**reviewed under Section 31461 and 7522.34**

Event	Description	Earnings Code Description	31461 Reference	7522.34 Reference	Analysis
<b>INCLUDED under Section 31461 and EXCLUDED under 7522.34</b>					
590	<b>EQUIPMENT ALLOWANCE</b>	<p>An annual \$500 equipment allowance is payable to all eligible members of the Court Reporters Unit (BU 861) for the duration of the 2022-2024 MOU Agreement. Each annual allowance is payable under the following terms and schedule:</p> <ol style="list-style-type: none"> <li>1. All bargaining unit members who are on the Court's payroll as of the ratification date of May 2, 2022, and who are still employed by the Court during the effective pay period are eligible for the 2022 payment. While the Court will endeavor to process the allowance promptly after ratification date, payment will be reflected in employee pay based on the processing timelines set by the Los Angeles County Auditor-Controller as the administrators of the Court's payroll.</li> <li>2. All bargaining unit members who are on the Court's payroll as of January 1, 2023, and who are still employed by the Court during the effective pay period are eligible for the 2023 payment. While the Court will endeavor to process the allowance in the pay period ending January 15, 2023, payment will be reflected in employee pay based on the processing timelines set by the Los Angeles County Auditor-Controller as the administrators of the Court's payroll.</li> <li>3. All bargaining unit members who are on the Court's payroll as of January 1, 2024, and who are still employed by the Court during the effective pay period are eligible for the 2024 payment. While the Court will endeavor to process the allowance in the pay period ending January 15, 2024, payment will be reflected in employee pay based on the processing timelines set by the Los Angeles County Auditor-Controller as the administrators of the Court's payroll.</li> </ol>	(a)	(c)(3) (c)(10)	<p>This allowance is a one-time or ad hoc payment made to a member, which is payable to all similarly situated members in the member's grade or class. Members of the Court Reporters Unit (BU 861) qualify for this payment each year during the term of the MOU Agreement, provided they meet the eligibility criteria for receiving such payment. The recommendation is to INCLUDE this one-time payment in compensation earnable for LEGACY members.</p> <p>This allowance constitutes a one-time or ad hoc payment under Section 7522.34 (c)(3) and a bonus paid in addition to the normal rate of base pay under (c)(10). This one-time payment does not appear on a Public Pay Schedule. The recommendation is to EXCLUDE this one-time payment from pensionable compensation for PEPRAs members.</p>

**Attachment: Pay Code Analysis**  
**reviewed under Section 31461 and 7522.34**

Event	Description	Earnings Code Description	31461 Reference	7522.34 Reference	Analysis
<b>EXCLUDED under Section 31461 and 7522.34</b>					
TBD	<b>STIPEND (ANTELOPE VALLEY)</b>	<p>The Court shall provide a \$1,200 stipend to eligible members of the Court Reporters Unit (BU 861) assigned to the Michael Antonovich Antelope Valley Courthouse or the Alfred J. McCourtney Juvenile Justice Center.</p> <p>To be eligible for the stipend, full-time, permanent unit members must reside and have their address of record reflect that they reside more than 30 miles away from their assigned location at the Michael Antonovich Antelope Valley Courthouse or the Alfred J. McCourtney Juvenile Justice Center, and satisfy one or both of the following criteria:</p> <ol style="list-style-type: none"> <li>1. Be either permanently assigned or a regionally assigned floater to either the Michael Antonovich Antelope Valley Courthouse or the Alfred J. McCourtney Juvenile Justice Center during the full period of June 30, 2022 through September 1, 2022.</li> <li>2. Be either permanently assigned or a regionally assigned floater to either the Michael Antonovich Antelope Valley Courthouse or the Alfred J. McCourtney Juvenile Justice Center during the full period of June 30, 2023 through September 1, 2023.</li> </ol> <p>If a member satisfies both of the assignment periods as set forth above, he/she shall be eligible to receive both the 2022 stipend and the 2023 stipend. Members must satisfy the full assignment period(s) to qualify for the stipend.</p> <p>The payment will be reflected in employee pay based on the processing timelines set by the Los Angeles County Auditor-Controller as the administrators of the Court's payroll.</p>	(b)(1)(B)	(c)(3) (c)(10)	<p>This stipend is a one-time or ad hoc payment made to a member assigned to either the Michael Antonovich Antelope Valley Courthouse or the Alfred J. McCourtney Juvenile Justice Center, but is not payable to all similarly situated members in the member's grade or class. Full-time members of BU 861 assigned to either location must also reside at least 30 miles away from their assigned location to qualify for the stipend, making the stipend unavailable to similarly situated employees who reside within 30 miles of their assigned location. The recommendation is to EXCLUDE this one-time payment in compensation earnable for LEGACY members.</p> <p>This stipend constitutes a one-time or ad hoc payment under Section 7522.34 (c)(3) and a bonus paid in addition to the normal rate of base pay under (c)(10). This one-time payment does not appear on a Public Pay Schedule. The recommendation is to EXCLUDE this one-time payment from pensionable compensation for PEPRAs members.</p>
TBD	<b>NEW HIRE BONUS</b>	<p>This one-time bonus of \$2,000 is paid to Court Reporters hired during the term of the 2022-2024 MOU Agreement for the Court Reporters Unit (BU 861). To qualify for this bonus, Court Reporters must be:</p> <ul style="list-style-type: none"> <li>• Hired as full-time regular employees and</li> <li>• Remain employed by the Court for one (1) year from date of hire.</li> </ul> <p>Payment of the bonus will be issued following completion of one (1) year of employment.</p>	(b)(1)(B)	(c)(3) (c)(10)	<p>This bonus is a one-time or ad hoc payment made to a member, but is not payable to all similarly situated members in the member's grade or class. Similarly situated members of BU 861 hired prior to the 2022-2024 MOU Agreement term are ineligible for the new hire bonus. The recommendation is to EXCLUDE this one-time payment in compensation earnable for LEGACY members.</p> <p>This bonus constitutes a one-time or ad hoc payment under Section 7522.34 (c)(3) and a bonus paid in addition to the normal rate of base pay under (c)(10). This one-time payment does not appear on a Public Pay Schedule. The recommendation is to EXCLUDE this one-time payment from pensionable compensation for PEPRAs members.</p>

**BEFORE THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

RESOLUTION OF THE BOARD OF  
RETIREMENT SPECIFYING ITEMS  
OF REMUNERATION AS  
“COMPENSATION EARNABLE”

RESOLUTION NO. 2022-BR004

WHEREAS, LACERA calculates retirement allowances based on a member’s “final compensation;”

WHEREAS, LACERA is required to include in the calculation of “final compensation” a member’s base pay, and certain other items of remuneration, if such remuneration qualifies as “compensation” under Government Code section 31460 and “compensation earnable” under Government Code section 31461;

WHEREAS, on March 4, 1998, the Board of Retirement adopted Resolution No. 98-004 specifying certain items of remuneration payable to employees of the County of Los Angeles which the Board determined qualify as “compensation” under Government Code section 31460 and “compensation earnable” under section 31461.

WHEREAS, on August 4, 1999, the Board of Retirement adopted Resolution No. 99-001 specifying an additional item of remuneration qualifies as “compensation” and “compensation earnable” under Government Code sections 31460 and 31461, respectively.

WHEREAS, the Court’s ruling in *Ventura County Deputy Sheriff’s Association v. County of Ventura* (1997) 16 Cal. 4<sup>th</sup> 483 became final on October 1, 1997, and requires LACERA to include in the calculation of retirement allowances various forms of remuneration not formerly included.

WHEREAS, on July 30, 2020, the California Supreme Court filed its decision entitled *Alameda County Deputy Sheriff’s Association v. Alameda County Employees Retirement Association* (2020) 9 Cal.5th 1032 (“*Alameda*”). The *Alameda* decision concludes that all

amendments to the definition of compensation earnable in Government Code section 31461, enacted as a result of the PEPRA and related statutory changes to CERL, effective January 1, 2013 are constitutional. The *Alameda* court also determined that CERL retirement boards have no discretion to include items in compensation earnable that section 31461 requires them to exclude.

NOW THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The items of remuneration set forth in Attachment 1 qualify as “compensation earnable” as defined in Government Code section 31461, for purposes of calculating a member’s retirement allowance.
2. The items of remuneration set forth in Attachment 2 do not qualify as “compensation earnable” as defined in Government Code section 31461, for purposes of calculating a member’s retirement allowance.

BOARD OF RETIREMENT,  
LOS ANGELES COUNTY EMPLOYEES  
RETIREMENT ASSOCIATION

\_\_\_\_\_  
William Pryor  
Chair, Board of Retirement

Approved as to Form:

ATTEST:

\_\_\_\_\_  
Steven P. Rice  
Chief Counsel

\_\_\_\_\_  
Shawn Kehoe  
Vice Chair, Board of Retirement

ITEMS OF COUNTY REMUNERATION WHICH QUALIFY AS “COMPENSATION,” AS DEFINED BY GOVERNMENT CODE SECTION 31460, AND/OR “COMPENSATION EARNABLE,” AS DEFINED BY GOVERNMENT CODE SECTION 31461.

<b><u>EARNINGS NO.</u></b>	<b><u>CODE ITEMS</u></b>
099	PATROL STATION RETENTION BONUS
232	AGRICULTURAL WEIGHTS & MEASURE (AWM) INSPECTOR ASSIGNMENT BONUS
249	AGRICULTURE INSPECTORS AID ROVER BONUS
252	6TH AND 7TH STEP FINANCIAL SPECIALIST
253	HEALTHCARE FACILITY BONUS
254	FORENSIC ATTENDANT FIELD TRAINING BONUS
255	BEACHES & HARBORS ASSIGNMENT BONUS
259	TRAILS UNIT ASSIGNMENT BONUS
262	UNDERWATER RECOVERY – BEACHES AND HARBORS
262Y3	UNDERWATER RECOVERY – BEACHES AND HARBORS
262Y4	UNDERWATER RECOVERY – BEACHES AND HARBORS
334	CUSTODY ASSISTANT DRILL INSTRUCTOR/CUSTODY TRAINING AND STANDARDS BUREAU
335	CUSTODY ASSISTANT TRAINING OFFICER BONUS
336	PUBLIC RESPONSE DISPATCHER BONUS
341	IN-FLIGHT BONUS
342	HAZARDOUS MATERIALS CALARP
343	HAZARDOUS MATERIALS APSA

- 344 FIRE PREVENTION ENGINEERING ASSISTANT
- 346 HAZARDOUS MATERIALS II EMERGENCY OPERATIONS  
ASSIGNMENT
- 347 WELLNESS/FITNESS FOR LIFE BONUS – 1%
- 348 WELLNESS/FITNESS FOR LIFE BONUS – 2%
- 349 WELLNESS/FITNESS FOR LIFE BONUS
- 350 “PILOT PAY” – FIRE DEPARTMENT
- 355 FIREFIGHTER – PARAMEDIC
- 355Y2 FIREFIGHTER – PARAMEDIC
- 355Y3 FIREFIGHTER – PARAMEDIC
- 358 TEMPORARY PROMOTION BONUS
- 359 LIFEGUARD PARAMEDIC CATALINA BONUS
- 359Y2 LIFEGUARD PARAMEDIC CATALINA BONUS
- 362 PARAMEDIC COORDINATOR/EMS CAPTAIN
- 363 PEER SUPPORT BONUS
- 364 DECKHAND/BOAT OPERATOR/RESCUE WATERCRAFT BONUS
- 365 BACHELOR DEGREE BONUS
- 366 ADVANCED EDUCATIONAL DEGREE BONUS
- 369 ADVANCED EDUCATION DEGREE BONUS
- 381 DENTAL PROFESSIONALS BOARD CERTIFICATION BONUS
- 384 HIGH DESERT HEALTH ASSIGNMENT BONUS
- 388 SHERIFF DETENTION FACILITY ASSIGNMENT BONUS

- 389 MENTAL HEALTH PSYCHIATRIST BOARD CERTIFICATION –  
MORE THAN ONE SPECIALTY
- 391 COUNTY LIBRARY DIFFICULT TO RECRUIT ASSIGNMENT  
BONUS
- 393 OBSTETRICS/LABOR & DELIVERY ASSIGNMENT
- 394 MEDICAL HUB CLINIC ASSIGNMENT
- 415 SHERIFF DEPARTMENT ASSIGNMENT TO AERO BUREAU  
IONICS SHOP
- 416 SHERIFF DEPARTMENT WATER SYSTEMS BONUS – CHIEF  
OPERATOR
- 417 SHERIFF DEPARTMENT WATER SYSTEMS BONUS – SHIFT  
OPERATOR
- 418 ISD BONUS ASSIGNMENT – ENERGY MANAGEMENT SYSTEM  
SECTION (BEAS)
- 424 ABDMI REGISTRY CERTIFICATION BONUS
- 425 ABDMI BOARD CERTIFICATION BONUS
- 426 ASSESSOR REPRESENTATIVE
- 427 AUDITOR APPRAISER
- 428 APPRAISER FIELD TRAINER
- 439 CUSTODY TRAINING OFFICER
- 445 SPECIAL ENFORCEMENT DETAIL/CANINE SERVICES DETAIL  
(TACTICAL DUTY)
- 452 SUPERVISORY BONUS
- 457 PATROL STATION RETENTION BONUS

- 463 DRINKING WATER TREATMENT AND DISTRIBUTION
- 484 GEOTECHNICAL LICENSE BONUS
- 486 PLANS EXAMINER CERTIFICATION
- 487 REGISTRATION – LICENSE BONUS
- 488 BUILDING ENGINEERING INSPECTOR BONUS
- 497 INSTITUTIONS BONUS
- 503 UNIFORM ALLOWANCE
- 504 NIGHT SHIFT DIFFERENTIAL
- 505 CORONER’S INQUEST REPORTER
- 506 VEHICLE USE ALLOWANCE
- 507 CO-GENERATION MAINTENANCE
- 508 HENNINGER FLATS WATCHMAN
- 509 FREEZER WORK
- 510 DEPARTMENT HEAD MERIT
- 511 BOARD OF SUPERVISORS PERFORMANCE LUMP SUM
- 512 FIRE SUPPRESSION TRANSPORTATION TRUCK DRIVER
- 514 BACKHOE OPERATOR
- 515 WEEKEND BONUS
- 516 EXPLOSIVES WORK
- 517 EVENING SHIFT DIFFERENTIAL
- 518 POWER EQUIPMENT REPAIR, SNOW CONDITIONS
- 519 ENGINEERING EMPLOYEES, HAZARD PAY

- 520 HOME CARE COMPENSATION
- 522 CUSTODIAN ACTING AS WATCHMAN
- 523 HYDROELECTRIC OPERATIONS
- 525 CONTRACTING AND PRODUCTIVITY IMPROVEMENT INCENTIVE FOR MANAGERS
- 528 WEBCOM PRESS OPERATOR
- 529 POWER EQUIPMENT OPERATOR, FIRE SUPPRESSION
- 530 RN EXTRA WEEKENDS WORKED
- 532 ADDITIONAL RESPONSIBILITIES OR EXCEPTIONAL PERFORMANCE
- 533 POWER SWEEPER OPERATOR IN EMERGENCY CONDITIONS
- 534 POWER PLANT RELIEF ENGINEER
- 535 CLINIC PHYSICIAN, FIRST HOUR AND ONE-HALF
- 536 CONSULTING SPECIALIST, MD, & MENTAL HEALTH CONSULTANT, MD, FIRST AND FIFTH HOURS
- 538 RN ASSIGNED AS ACTING OR RELIEF CHARGE NURSE
- 539 RN WEEKEND DIFFERENTIAL
- 540 RELIEF NURSE HOLIDAY DIFFERENTIAL (HOURLY ITEM)
- 541 RELIEF NURSE WEEKEND DIFFERENTIAL (HOURLY ITEM)
- 544 APPRAISERS LAUNDRY AND DRY-CLEANING ALLOWANCE
- 545 HEAVY DUTY TOW TRUCK DRIVER

- 546 SLURRY SEAL TRUCK DRIVER
- 547 COVID APPRECIATION
- 547HS HERO PAY - DHS
- 548 LIFEGUARD PARAMEDIC – HOURLY
- 550 INCENTIVE AWARDS FOR MEDI-CAL REIMBURSEMENTS,  
HEALTH SERVICES
- 551 GROUP INCENTIVE AWARD, TREASURER TAX COLLECTOR
- 553 PIONEER EXCAVATION, TUNNEL OPERATIONS, FIRE  
SUPPRESSION, AND SNOW REMOVAL - CONSTRUCTION  
INSPECTION AND SURVEYING GROUPS
- 554 PIONEER EXCAVATION, TUNNEL OPERATIONS, FIRE  
SUPPRESSION, AND SNOW REMOVAL
- 555 SCAFFOLD OR SWING STAGE, 30 FEET ABOVE GRADE
- 556 HIGH SCALE AND RIGGING OPERATIONS, GENERAL
- 557 EVENING SHIFT, MED TECH
- 558 NIGHT SHIFT, MED TECH
- 565 PARAMEDIC RECERTIFICATION BONUS
- 567 DEPUTY SHERIFF RESERVE ANNUAL COMPENSATION
- 571 CSW LICENSURE SUPERVISION
- 572 MOU LUMP SUM BONUS
- 575 WASTEWATER PLANT RELIEF BONUS
- 576 “SOLO DAILY” PAY – COURT REPORTERS
- 577 INTERPRETER HALF DAY BONUS – SUP. CT.

- 581 SWIM PROFICIENCY BONUS
- 585 ISA TREE WORKER CERTIFICATION
- 586 ISA CERTIFIED ARBORIST CREDENTIAL
- 587 ISA CERTIFIED QUALIFIED TREE RISK ASSESSOR CREDENTIAL
- 588 ISA MUNICIPAL SPECIALIST CREDENTIAL
- 589 MENTAL HEALTH SPECIALITY FIELD BASED BONUS
- 590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS
- 601 LIFEGUARD PARAMEDIC, RELIEF
- 602 SUPERVISING TRANSPORTATION DEPUTY PERFORMING  
DISPATCHER DUTIES
- 603 AUTOMOTIVE SERVICE EXCELLENCE CERTIFICATES
- 604 RN MOBILE INTENSIVE CARE CERTIFICATION
- 605 CUSTODIAN FLOOR WAXING BONUS
- 606 FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTIES
- 606A FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTIES  
– ELIGIBILITY INDICATOR
- 607 SDPO ASSIGNED ACTING DIRECTOR IN A CAMP
- 608 BILINGUAL BONUS
- 609 RN ASSIGNED TO EMERGENCY ROOM
- 610 ANTELOPE VALLEY FIREFIGHTING CREW
- 611 TREE TRIMMER SUPERVISOR, POWER OPERATIONS

- 612 SHOOTING BONUS, EXPERT
- 613 SHOOTING BONUS, DISTINGUISHED EXPERT
- 614 SHOOTING BONUS, MARKSMAN
- 615 SHOOTING BONUS, SHARPSHOOTER
- 616 ANTELOPE VALLEY QUARTERS, ON FIRE CALL
- 617 CLINIC NURSE ASSIGNED TO PROBATION CAMP
- 618 TRANSPORTATION BUS DRIVER, SHERIFF
- 619 CERTIFIED ACCESS SPECIALISTS
- 620 SAN GABRIEL DAM OPERATOR
- 621 NURSE RETENTION INCENTIVE
- 622 ADVANCED APPRAISER CERTIFICATION
- 623 PROBATION TRANSCRIBER TYPIST PRODUCTION INCENTIVE
- 624 BILINGUAL ADDITIONAL BONUS, CHILDREN'S SOCIAL WORKERS
- 625 AGRICULTURE INSPECTORS ASSIGNED TO STANDARDIZATION
- 626 FIREFIGHTER PARAMEDIC NOT ASSIGNED TO A PARAMEDIC POST
- 627 DETENTION AND TRANSPORTATION EXTRA SUPERVISION BONUS
- 628 BILINGUAL BONUS FOR OTHER THAN MONTHLY EMPLOYEES
- 629 MORTUARY ATTENDANT AT LAC/USC MC
- 630 SERVICE PAY BONUS

- 632 MENTAL HEALTH WORKERS ASSIGNED TO SHERIFF'S  
DETENTION FACILITIES
- 634 SUPERVISING DETENTION SERVICES OFFICER OF THE DAY
- 635 TRANSPORTATION DEPUTY BUS DRIVER, PROBATION
- 636 SHERIFF'S STATION COMMANDER EXPENSES
- 637 PROFESSIONAL DEVELOPMENT EXPENSES
- 638 PROBATION TELECOM EQUIPMENT BONUS
- 639 INTERN HOUSING ALLOWANCE LAC/USC MED. CENTER
- 640 CHILDREN'S SERVICES ERCP RETENTION
- 641 SHOOTING BONUS, EXPERT – RESERVE
- 642 SHOOTING BONUS, DISTINGUISHED EXPERT – RESERVE
- 643 SHOOTING BONUS, MARKSMAN – RESERVE
- 644 SHOOTING BONUS, SHARPSHOOTER – RESERVE
- 645 WELDER CERTIFICATION BONUS
- 646 EMERGENCY ROLLOUT PROGRAM & SHIFT BONUS
- 647 BILINGUAL ADDITIONAL BONUS, PSYCHIATRIC SOCIAL WORK
- 648 DEFIBRILLATION AIRWAY BONUS
- 649 MAMMOGRAPHY BONUS
- 650 PRESIDING JUDGE 4% BONUS
- 653 EQUINE HANDLERS PAY
- 653 K-9 HANDLERS PAY

694	PARK, TAXABLE
695	TRANSPORTATION ALLOW
696	TRAFFIC MITIGATION
700	“OVERNIGHT TRIP” PAY - SHERIFF’S STATEWIDE UNIT
730	PREMIUM OVERNIGHT TRIP
782	FLSA PREMIUM PAY FOR REGULARLY SCHEDULED WORK ASSIGNMENT
903	NON-ELECTIVE LEAVE BUYBACK
910	SICK BUYBACK
911	VACATION BUYBACK
912	HOLIDAY BUYBACK
913	SICK PRE-71 BUYBACK
914	SICK BUYBACK –PROBATION 56 – HOUR
915	VACATION BUYBACK - 56 HOUR
930	SPECIAL PAID LEAVE BUYBACK
931	APPRAISERS LEAVE BUYBACK
932	INTERN/RESIDENT LEAVE BUYBACK
PP046	EMPLOYEE SUGGESTION
NONE	PARK, NONTAXABLE
NONE	PRIOR SALARY
NONE	56 HOUR TO 40 HOUR ASSIGNMENT BONUS
NONE	REGISTERED NURSE ASSIGNED TO CRITICAL CARE UNIT

TBD      CIVIC CENTER STIPEND

ITEMS OF COUNTY REMUNERATION WHICH DO NOT QUALIFY AS "COMPENSATION," AS DEFINED BY GOVERNMENT CODE SECTION 31460, AND/OR "COMPENSATION EARNABLE," AS DEFINED BY GOVERNMENT CODE SECTION 31461.

<b><u>EARNINGS NO.</u></b>	<b><u>CODE ITEMS</u></b>
036	ESP SEVERANCE
075	UNION HALL HIRING VACATION/HOLIDAY BENEFIT
076	FAMILY LEAVE
090	ENHANCED VOLUNTARY TIME OFF LESS THAN 60 DAYS
091	ENHANCED VOLUNTARY TIME OFF GREATER THAN 60DAYS
094	VACATION IN LIEU OF PAY
095	ENHANCED VOLUNTARY TIME OFF-SUPERIOR COURT
128	MILEAGE EARNINGS
129	PARKING
130	SHORT TERM DISABILITY – 60%
131	SHORT-TERM DISABILITY – 40%
140	SHORT TERM DISABILITY – 60% RDO
141	SHORT TERM DISABILITY – 40% RDO
151	INDUSTRIAL ACCIDENT – 100%
152	INDUSTRIAL ACCIDENT – 100% RDO
153	INDUSTRIAL ACCIDENT – 70%
154	INDUSTRIAL ACCIDENT – 70% RDO

- 158 LIMITED DUTY INDUSTRIAL ACCIDENT – 100%
- 159 LIMITED DUTY INDUSTRIAL ACCIDENTS – 70%
- 388 PSYCHIATRY JAIL BONUS
- 407 SKILL AND RESPONSIBILITY BONUS
- 500 RELOCATE NON-TAXABLE
- 502 RELOCATION ALLOWANCE
- 521 IRS PENALTY REIMBURSEMENT
- 524 ON-CALL FOR COURT APPEARANCE
- 527 RELIEF DAM OPERATOR, ON CALL
- 531 STANDBY
- 531SP STANDBY AUTH FOR SHERIFF & PUBLIC WORKS DEPTS ONLYBU  
411/412
- 542 EMERGENCY WORKPLACE DIFFERENTIAL
- 543 CALL BACK EXTRA COMPENSATION
- 547 COVID – 19 APPRECIATION PAYMENT
- 552 STANDBY – EMERGENCY ROLL OUT PROGRAM
- 559 MISCELLANEOUS LUMP SUM INCLUDED IN REG. OT
- 560 RECRUITMENT INCENTIVE PROGRAM
- 561 HOURS PAID BUT NOT WORKED, CALL-BACK
- 562 MENTAL HEALTH ALERT & PSYCH MOB RESP TEAMSTANDBY
- 563 RELIEF DAM OPERATIONS STAND-BY

- 564 TUITION REIMBURSEMENT
- 566 QUALIFIED FOR HAZARDOUS MATERIALS OVERTIME CALC.
- 568 ASSESSMENT APPEALS FULL DAY INCREMENT (HOURLY ITEM)
- 569 PHYSICIANS LOAN REPAYMENT PROGRAM
- 570 HOME CARE PROGRAM STANDBY
- 574 STANDBY – INS WITNESS PROGRAM
- 590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS
- 591 LICENSE REIMBURSEMENT
- 650 PRESIDING JUDGE 4% BONUS
- 651 MEAL REIMBURSEMENT – RESIDENTS
- 652 MEAL REIMBURSEMENT – PLANT ENGINEERS
- 690 CELLULAR PHONE STIPEND – VOICEMAIL
- 691 CELLULAR PHONE STIPEND – DATA ONLY
- 692 CELLULAR PHONE STIPEND – VOICE AND DATA
- 699W FLEXIBLE WORK TIME EARNED
- 701 PAID OVERTIME
- 702 PAID OVERTIME – ACCRUE FLSA PREMIUM
- 703 FLSA COMP TIME EARNED-ACCRUE FLSA PREMIUM
- 705 COMPENSATORY TIME EARNED
- 707 FY93 COMPENSATORY TIME EARNED

- 708 FY93 FLSA COMP TIME EARNED – ACCRUE FLSA PREMIUM
- 709 FY93 FLSA COMP TIME EARNED OVRD – ACCRUE FLSA PREMIUM
- 710 DISASTER RELATED PAID OVERTIME
- 711 DISASTER COMP TIME EARNED (ACCRUED)
- 712 CONTRACT RELATED PAID OVERTIME
- 713 ER PHYSICIAN OVERTIME – DAY RATE
- 714 ER PHYSICIAN OVERTIME – WKDY EVE/WKND HOL DAY
- 715 ER PHYSICIAN OVERTIME – WKDY NITE/WKND HOL EVENITE
- 716 GUARANTEED PREMIUM
- 717 PAID OVERTIME – GUARANTEED ACCRUED FLSAPREMIUM
- 718 FLSA COMP TIME EARNED – GUARANTEED ACCRUED FLSA PREMIUM
- 719 FLSA COMP TIME EARNED – GUARANTEED PAID PREMIUM
- 720 SPECIAL EVENTS OVERTIME
- 731 PREMIUM OVERTIME – SYSTEM
- 733 PREMIUM OVERTIME – MANUAL
- 735 FY93 ACCRUED FLSA PREMIUM OVERTIME (SYSTEM)
- 736 FY93 ACCRUED FLSA PREMIUM OVERTIME (MANUAL)
- 746 CALL BACK ACTUAL
- 747 CALL BACK GUARANTEED
- 761 STRAIGHT TIME AND ONE-HALF

- 775 SECONDARY OVERTIME
- 776 ALTERNATE OVERTIME
- 777 SECONDARY ASSIGNMENT OVERTIME
- 778 OVERTIME – FIRE DEPT. 56 HOUR
- 779 SECONDARY OVERTIME – FIRE DEPT. 56 HOUR
- 780 WORKDOWN OVERTIME – FIRE DEPT.
- 781 OVERTIME – FIRE DEPT. 40 HOUR
- 782 PLATOON/40/HOUR/DISPATCHER SCHED PREMIUM –SYSTEM
- 783 DISPATCHER BRIEFING TIME
- 784 40 HOUR CAMP-GUARANTEED PREMIUM
- 791 ORDERED OVERTIME
- 792 UNCOMPENSATED BRIEFING TIME
- 793 COMPENSATED BRIEFING TIME – SYSTEM
- 794 COMPENSATED BRIEFING TIME – MANUAL
- 795 FY93 ORDERED FLSA COMP TIME EARN – ACCR FLSA PREMIUM
- 796 ORDERED FLSA COMP TIME EARN-ACCR FLSA PREMIUM
- 799 FLEX REG HOURS BETWEEN 181 AND 192 FOR 40HR FIRE FIGHTERS
- 901 COMPENSATORY TIME BUYBACK
- 902 PROTECTED COMPENSATORY TIME BUYBACK
- 904 ELECTIVE-LEAVE BUYBACK

- 905 FLSA COMP TIME BUYBACK – PREMIUM
- 906 FLSA COMP TIME BUYBACK – STRAIGHT
- 907 FY93 COMPENSATORY TIME BUYBACK
- 908 FY93 FLSA COMP TIME BUYBACK – PREMIUM
- 909 FY93 FLSA COMP TIME BUYBACK – STRAIGHT
- 916 VACATION IN LIEU OF PAY – BUYBACK
- 917 DISASTER COMP TIME BUYBACK
- 918 FY93-56 HOUR COMP TIME BUYBACK – FIRE DEPT.
- 919 ACCRUED PREMIUM BUYBACK – SYSTEM
- 920 FY93 FLSA COMP TIME BUYBACK – PREMIUM (MANUAL)
- 951 ESP VACATION PAYOUT
- 952 FINAL PAY LEAVE PAYOUT (SICK, HOLIDAY, OT)
- 953 ESP LEAVE PAYOUT
- 954 VACATION PAYOUT
- 955 VACATION IN LIEU OF PAY – PAYOUT
- 957 56-HOUR LEAVE PAYOUT
- 958 56-HOUR TC VACATION
- 961 ESP DEFERRED VACATION PAYOUT
- 962 DEFERRED LEAVE PAYOUT
- 963 ESP DEFERRED LEAVE PAYOUT

964 DEFERRED VACATION PAYOUT  
967 56-HOUR DEFERRED LEAVE PAYOUT  
968 56-HOUR DEFERRED VACATION PAYOUT  
970 FLSA PREMIUM COMPENSATORY TIME – PAYOUT  
971 FY93 COMP TIME PAYOUT (EXCLUDING PREMIUMS)  
OP005 PENSIONABLE STANDBY PAY  
OP100 CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – HORIZONS  
PLAN  
OP101 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – HORIZONS  
PLAN  
OP102 CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – SAVINGS  
PLAN  
OP103 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – SAVINGS  
PLAN  
PA099 ROUNDING ADJUSTMENT  
PE803 EXCESS STRAIGHT – FLSA COMP TIME TAKEN  
PE804 EXCESS PREMIUM – FLSA COMP TIME TAKEN  
PE806 EXCESS STRAIGHT – FY93 FLSA COMP TIME TAKEN  
PE807 EXCESS PREMIUM – FY93 FLSA COMP TIME TAKEN  
PE813 CAPE – EXCESS STRAIGHT – FY93 FLSA COMP TIME TAKEN  
PE814 CAPE - EXCESS PREMIUM – FY93 FLSA COMP TIME TAKEN  
PFA36 FLEX EARNINGS ADVANCE  
PK094 VACATION IN LIEU OF PAY

PK096 SUPERIOR COURT VACATION IN LIEU OF PAY  
PK801 COMPENSATORY TIME TAKEN  
PK802 PROTECTED COMPENSATORY TIME TAKEN  
PK803 FLSA COMP TIME TAKEN – STRAIGHT  
PK804 FLSA COMP TIME TAKEN – PREMIUM  
PK805 FY93 COMPENSATORY TIME TAKEN  
PK806 FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PK807 FY93 FLSA COMP TIME TAKEN – PREMIUM  
PK808 DISASTER COMP TIME TAKEN  
PK810 CALL BACK ACCRUE – STRAIGHT TAKEN  
PK811 CALL BACK GUARANTEED CTO – BUY BACK  
PK812 DFR 1 YR - NON-FLSA COMPENSATORY STRT TIME –USAGE  
PK813 CAPE-FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PK814 CAPE-FY93 FLSA COMP TIME TAKEN – PREMIUM  
PK815 DFR 1 YR – FLSA COMPENSATORY STRT TIME – USAGE  
PK816 DFR 2 YRS – FLSA COMPENSATORY STRT TIME – USAGE  
PK818 DFR 1 YR – FLSA PREMIUM OVERTIME USAGE  
PK819 DFR 2 YR – FLSA PREMIUM OVERTIME USAGE  
PK821 DFR 1 YR – CALL BACK - STRAIGHT USAGE  
PKN03 SUPERIOR COURT NON-PENSIONABLE NON-ELECTIVE LEAVE  
BUY BACK

PKN21 SUPERIOR COURT NON-PENSIONABLE VACATION LEAVE BUY  
BACK

PO002 ELECTIVE LEAVE TERM PAY OFFSET

PO699 FLEXIBLE WORK SCHEDULE

PO703 STRAIGHT PAY OFFSET-FLSA COMP TIME EARNED – ACCRUE

PO705 STRAIGHT PAY OFFSET – COMPENSATORY TIME EARNED

PO711 STRAIGHT PAY OFFSET – DISASTER COMP TIME EARNEDACC

PO796 STRAIGHT PAY OFFSET-ORDERD FLSA COMP TM EARN –ACCR

PP005 STANDBY PAY - PENSIONABLE

PT002 ELECTIVE LEAVE

PT003 NON-ELECTIVE LEAVE

PT006 DONATED SICK 100% LEAVE – USAGE

PT008 SICK LEAVE EARNED AT MTA/ATTORNEY

PT011 SICK – 100%

PT012 HOLIDAY

PT021 VACATION

PT030 SPECIAL PAID LEAVE

PT031 APPRAISERS LEAVE

PT032 INTERN/RESIDENT LEAVE

PT046 JUDICIAL ASSISTANT SPECIAL PAID LEAVE

PT081 BANK HOLIDAY

PT082 BANK VACATION  
PT094 VACATION IN LIEU OF PAY  
PT096 SUPERIOR COURT VACATION IN LIEU OF PAY  
PT099 REGULAR EARNINGS – MID PAY PERIOD TERMINATION  
PT113 SICK PRE-71  
PT699 FLEXIBLE WORK TIME EARNED  
PT801 COMPENSATORY TIME TAKEN  
PT802 PROTECTED COMPENSATORY TIME TAKEN  
PT803 FLSA COMP TIME TAKEN – STRAIGHT  
PT804 FLSA COMP TIME TAKEN – PREMIUM  
PT805 FY93 COMPENSATORY TIME TAKEN  
PT806 FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PT807 FY93 FLSA COMP TIME TAKEN – PREMIUM  
PT808 DISASTER COMP TIME TAKEN  
PT810 CALL BACK ACCRUE - STRAIGHT TAKEN  
PT811 CALL BACK GUARANTEED CTO – TERMINATION  
PT812 DFR 1 YR – NON-FLSA COMPENSATORY STRT TIME – USAGE  
PT813 CAPE – FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PT814 CAPE – FY93 FLSA COMP TIME TAKEN – PREMIUM  
PT815 DFR 1 YR – FLSA COMPENSATORY STRT TIME – USAGE

PT816	DFR 2 YRS – FLSA COMPENSATORY STRT TIME – USAGE
PT817	YTD – FLSA PREMIUM OVERTIME USAGE
PT818	DFR 1 YR – FLSA PREMIUM OVERTIME USAGE
PT819	DFR 2 YR – FLSA PREMIUM OVERTIME USAGE
PT820	YTD – CALL BACK – STRAIGHT USAGE
PT821	DFR 1 YR – CALL BACK – STRAIGHT USAGE
PTNHT	HOLD CURRENT ACCRL – NON-ELECTIVE LEAVE – TERMINATION USAGE
PTVAT	SUPERIOR COURT, RESERVE VACATION – TERMINATION USAGE
PTVPT	SUPERIOR COURT, PRIOR YR RSRV VACATION – TERMINATION USAGE
RP005	PENSIONABLE STANDBY PAY – OFFSET
NONE	MEGAFLEX INDUSTRIAL ACCIDENT
NONE	COUNTY CAR (IMPUTED INC)
NONE	IMPUTED INCOME (DOMESTIC PARTNER)
NONE	IMPUTED INC (LIFE INSURANCE)
NONE	SECTION 170 OVERTIME
NONE	EARNED SALARY ADVANCE
NONE	VACATION PAY ADVANCE
NONE	56 HOUR OVERTIME
NONE	ADJUSTMENT NON-TAX
NONE	RETRO PAY

NONE	EARNED INCOME CREDIT
NONE	UNDERPAYMENT ADVANCE
NONE	O/S SICK PAY
NONE	RETRO ADVANCE
NONE	T/A MILEAGE
NONE	ADVANCED DISABILITY RETIREMENT
NONE	STD REFUND
NONE	LTD REFUND
NONE	LTDH REFUND
NONE	SIB REFUND
NONE	56 VILOP PAY
NONE	VOLUNTARY DEFERRED PAY
NONE	RETRO FLEX BASE
NONE	NR DEFERRED PAY
NONE	F.MF DEFERRED PAY
NONE	DEF LUMP SUM
NONE	DEFERRED PAY
NONE	VOLUNTARY SEPARATION PLAN
NONE	STOP PAYMENT
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – PREMIUM

NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – COMPENSATORY TIME EARNED
TBD	ANTELOPE VALLEY STIPEND
TBD	NEW HIRE BONUS

**BEFORE THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

RESOLUTION OF THE BOARD OF  
RETIREMENT SPECIFYING ITEMS  
OF REMUNERATION AS  
“PENSIONABLE COMPENSATION”

RESOLUTION NO. 2022-BR005

WHEREAS, Government Code section 7522.34 governs the determination of pensionable compensation for those members who became active members for the first time on or after January 1, 2013, who are subject to the California Public Employees’ Pension Reform Act of 2013; and

WHEREAS, LACERA calculates retirement allowances based on a member’s final compensation; and

WHEREAS, LACERA is required to include in the calculation of “final compensation,” a member’s base pay and certain other items of compensation, if such compensation qualifies as “pensionable compensation” under Government Code section 7522.34; and

WHEREAS, Government Code section 7522.34 defines “pensionable compensation” as: “. . .the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules”; and

WHEREAS, the Board has analyzed each current pay item and determined whether or not those items should be included in “pensionable compensation”; and

WHEREAS, the Board may find it necessary from time to time to amend its determinations based on changes made by employers, the Legislature, or the Courts;

NOW THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. For purposes of calculating a member's retirement allowance, earnings on or after January 1, 2013, for members subject to Government Code section 7522.32, as set forth in Attachment No. 1 do not qualify as "pensionable compensation" as defined in section 7522.34.

BOARD OF RETIREMENT,  
LOS ANGELES COUNTY EMPLOYEES  
RETIREMENT ASSOCIATION

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William Pryor  
Chair, Board of Retirement

Approved as to Form:

ATTEST:

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Steven P. Rice  
Chief Counsel

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Shawn Kehoe  
Vice Chair, Board of Retirement

ITEMS OF REMUNERATION EARNED ON OR AFTER JANUARY 1, 2013, FOR MEMBERS SUBJECT TO GOVERNMENT CODE SECTION 7522.32, WHICH DO NOT QUALIFY AS "PENSIONABLE COMPENSATION" AS DEFINED IN SECTION 7522.34.

**EARNINGS NO. CODE ITEMS**

200	76-INCH MOWER BONUS
201	ACTING DEPARTMENT HEAD
202	ACTING MEDICAL DIRECTOR
203	ADDITIONAL RESPONSIBILITIES
204	AMERICAN MEDICAL ASSOCIATION BOARD CERT 8.25%
205	AMERICAN MEDICAL ASSOCIATION BOARD CERT 5.50%
209	MANPOWER SHORTAGE RANGE
210	MEDICAL DIRECTOR'S BONUS - 2.75
211	MEDICAL DIRECTOR'S BONUS - 5.50%
212	MEDICAL DIRECTOR'S BONUS - 8.25%
214	OUT OF CLASS BONUS
215	POST BONUS - ADVANCE/EXECUTIVE
217	POST BONUS – INTERMEDIATE
219	SUPERIOR SUBORDINATE PAY
220	WATCHMAN – CUSTODIAN
221	WELFARE RECIPIENT SUPERVISOR
222	OUT OF CLASS BONUS SCHEDULE/LEVEL/PERCENT

- 223 TEMPORARY CLERICAL & OFFICE SERVICES EMPLOYEES
- 224 PBP NON-BASE MERIT SALARY ADJUSTMENT
- 225 EXECUTIVE SECRETARY ADDED SALARY SCHEDULES
- 227 PBP TO SCHEDULE SALARY ADJUSTMENT
- 228 ADDITIONAL RESPONSIBILITIES – REPRESENTED
- 229 TEMPORARY SPECIAL MAP ACHIEVEMENT – FLAT
- 230 TEMPORARY SPECIAL MAP ACHIEVEMENT – PERCENT
- 231 TEMPORARY ASSIGNMENT MAP EMPLOYEE – FLAT
- 240 AGRICULTURAL INSPECTOR BONUS
- 243 CAREER DEVELOPMENT INTERN BONUS
- 248 REGIONAL PLANNING AICP CERTIFICATION BONUS
- 249 AGRICULTURE INSPECTORS AID ROVER BONUS
- 250 ACCOUNTING CERTIFICATE
- 252 6TH AND 7TH STEP FINANCIAL SPECIALIST
- 254 FORENSIC ATTENDANT FIELD TRAINING BONUS
- 256 ANIMAL CONTROL MGR-BOARD LIAISON BONUS
- 257 HALF STEP-01
- 258 HALF STEP-02
- 263 AUDITOR-CONTROLLER MERIT - ONE SCHEDULE
- 264 AUDITOR-CONTROLLER MERIT - TWO SCHEDULES

- 265 AUDITOR-CONTROLLER MERIT - THREE SCHEDULES
- 266 AUDITOR-CONTROLLER MERIT - FOUR SCHEDULES
- 267 AUDITOR-CONTROLLER MERIT - FIVE SCHEDULES
- 268 AUDITOR-CONTROLLER MERIT - SIX SCHEDULES
- 270 BOARD OF SUPERVISOR SPECIAL ASSIGNMENT
- 271 ASSESSMENT APPEALS BOARD ASSIGNMENT
- 272 HEAD BOARD SPECIALIST ADDITIONAL STEPS
- 273 MAPP TIER II STEP 13
- 274 MAPP TIER II STEP 14
- 275 MAPP TIER II STEP 15
- 276 MAPP TIER II STEP 16
- 277 MAPP TIER II STEP 17
- 278 MAPP TIER II STEP 18
- 281 MAPP TO SCHEDULE FLAT AMOUNT
- 282 MAPP TO SCHEDULE PERCENTAGE
- 283 PERM PHYSICIAN TRANSITION RATE – PERCENT
- 285 COURT CLERK - GREATER SKILLS
- 291 INTERGOVERNMENTAL RELATIONS
- 293 LEGISLATIVE REPRESENTATIVE-CAO
- 295 MANAGEMENT TRAINEE

- 300 CURATOR BONUS
- 310 LEGISLATIVE ADVOCATE – COUNTY COUNSEL
- 320 ACCOUNTING CERTIFICATE – DA
- 321 DISTRICT ATTORNEY – OUT OF CLASS BONUS
- 322 RECLASSIFIED INVESTIGATOR
- 323 ANTELOPE VALLEY ASSIGN. 30 MILES FROM RESIDENCE
- 332 JOURNEY EMPLOYEES BONUS
- 334 CUSTODY ASSISTANT DRILL INSTRUCTOR/CUSTODY TRAINING AND STANDARDS BUREAU
- 335 CUSTODY ASSISTANT TRAINING OFFICER BONUS
- 336 PUBLIC RESPONSE DISPATCHER BONUS
- 338 ELEVATOR ADJUSTOR
- 340 A OR B MOTOR VEHICLE LICENSE BONUS
- 342 HAZARDOUS MATERIALS CALARP
- 343 HAZARDOUS MATERIALS APSA
- 344 FIRE PREVENTION ENGINEERING ASSISTANT
- 347 WELLNESS/FITNESS FOR LIFE BONUS – 1%
- 348 WELLNESS/FITNESS FOR LIFE BONUS – 2%
- 349 WELLNESS/FITNESS FOR LIFE BONUS
- 356 FIRE SAFETY PERSONNEL BONUS
- 357 HELICOPTER INSPECTION LICENSE

- 358 TEMPORARY PROMOTION BONUS
- 361 TEMPORARY PROMOTION BONUS - NON-SCHEDULE
- 365 BACHELOR DEGREE BONUS
- 366 ADVANCED EDUCATIONAL DEGREE BONUS
- 367 MEDICAL STAFF CREDENTIALING ASSIGNMENT BONUS
- 368 RN ASSIGNED TO SHERIFFS DEPT
- 369 RN ADVANCED EDUCATIONAL DEGREE BONUS
- 370 CLINIC NURSE - STAND BY
- 371 CLINICAL INSTRUCTOR - GENERAL
- 372 CLINICAL INSTRUCTOR - LAC+USC MEDICAL CENTER
- 373 EMERG MEDICINE - BOARD CERTIFICATION
- 374 EMERG MEDICINE - BOARD CERT
- 375 EMERG MEDICINE - BOARD CERTIFICATION 8.25%
- 376 HIGH DESERT HOSPITAL - PHYSICIAN BONUS
- 377 JOURNEY EMPLOYEES BONUS
- 379 SUPERVISING NURSE - ICU
- 380 SUPVGRAD TECHN - DIAGNOSTIC ULTRASOUND
- 381 DENTAL PROFESSIONALS BOARD CERTIFICATION BONUS
- 383 VETERINARY MEDICINE- BOARD CERTIFICATION
- 384 HIGH DESERT HEALTH ASSIGNMENT BONUS

- 385 PSYCHIATRY SPECIALTY BONUS
- 386 PHYSICIAN SPECIALTY BONUS
- 387 PHARMACIST SPECIALTY ASSIGNMENTS
- 388 SHERIFF DETENTION FACILITY ASSIGNMENT BONUS
- 389 MENTAL HEALTH PSYCHIATRIST BOARD CERTIFICATION – MORE THAN ONE SPECIALTY
- 391 COUNTY LIBRARY DIFFICULT TO RECRUIT ASSIGNMENT BONUS
- 392 LIBRARIAN BONUS
- 393 OBSTETRICS/LABOR & DELIVERY ASSIGNMENT
- 394 MEDICAL HUB CLINIC ASSIGNMENT
- 395 PHYSICIAN SPECIALTY BONUS - 5.75%
- 396 PHYSICIAN ADDITIONAL COMPENSATION
- 397 PHYSICIAN FORENSIC PATHOLOGY BONUS
- 398 HOSPITAL ADMINISTRATOR - ADDITIONAL COMPENSATION
- 400 DEPUTY COURT ADMINISTRATOR - OPINION/ADVISOR
- 401 DEPUTY MARSHALL - LEVEL I BONUS
- 402 DEPUTY MARSHALL - LEVEL II BONUS
- 403 DEPUTY MARSHALL TRAINEE
- 404 ELECTRONIC RECORDING EQUIPMENT
- 405 MARSHALL SUPERVISING BONUS
- 406 DEPUTY MARSHAL SPECIAL TRAINING - 6TH STEP

- 407 SKILL AND RESPONSIBILITY BONUS
- 408 DEPUTY CLERK III OUT OF CLASS BONUS
- 409 STENOGRAPHIC SKILLS
- 410 SUPERVISING DEPUTY CLERK
- 411 ADVISOR – COURT ADMINISTRATOR AND JUDGES
- 412 NIGHT SHIFT AND WEEKEND BONUS
- 413 DEPUTY CLERK IV – GREATER SKILLS
- 414 RECORDING EQUIPMENT – DEPUTY CLERK IV M.C.
- 415 SHERIFF DEPARTMENT ASSIGNMENT TO AERO BUREAU  
AVIONICS SHOP
- 416 SHERIFF DEPARTMENT WATER SYSTEM BONUS – CHIEF  
OPERATOR
- 417 SHERIFF DEPARTMENT WATER SYSTEM BONUS – SHIFT  
OPERATOR
- 418 ISD BONUS ASSIGNMENT – ENERGY MANAGEMENT SYSTEM  
SECTION (SEAS)
- 424 ABDMI REGISTRY CERTIFICATION BONUS
- 425 ABDMI BOARD CERTIFICATION BONUS
- 430 ASST. DIRECTOR – PUBLIC SOCIAL SERVICES
- 432 DEPUTY DISTRICT DIRECTOR TRAINEE
- 439 CUSTODY TRAINING OFFICER
- 441 CATALINA ISLAND LIVING – SHERIFF
- 445 SPECIAL ENFORCEMENT DETAIL/CANINE SERVICES DETAIL  
(TACTICAL DUTY)

- 450 SHERIFF OUT OF CLASS BONUS
- 453 SERGEANT-AT-ARMS BOARD OF SUPERVISOR
- 456 TRAINING OFFICER/INVESTIGATOR/K-9 BONUS
- 458 ACTING CAPACITY BONUS
- 461 SHERIFF BUSINESS MACHINE TECHNICIAN
- 464 STATE OF CALIF STRUCTURAL ENGINEER LICENSE BONUS
- 465 REHABILITATION INSPECTOR-PUBLIC WORKS
- 468 LICENSED LAND SURVEYOR BONUS
- 469 LICENSED REGISTERED TRAFFIC ENGINEER BONUS
- 470 BUSINESS LICENSE LIAISON
- 475 CERTIFICATION BONUS – LACERA
- 480 SUPERIOR COURT CLERK BONUS
- 481 COURT REPORTERS REALTIME CERTIFICATION
- 482 JUDICIAL ASSISTANT BONUS
- 483 REALTIME WRITING BONUS
- 484 GEOTECHNICAL LICENSE BONUS
- 485 SUP CRT EXEC OFFICER ADDITIONAL COMPENSATION
- 486 PLANS EXAMINER CERTIFICATION REGISTRATION – LICENSE BONUS
- 488 BUILDING ENGINEERING INSPECTOR BONUS
- 493 SENIOR PROBATION DIRECTOR-CENTRAL JUVENILE HALL

- 494 SENIOR PROB DIR-LOS PADRINOS/SAN FERNANDO JUV HALL
- 495 PROBATION DIRECTOR-ADMIN RESP./FOOTHILL JUV AREA
- 498 PROBATION DIRECTOR-CHALLENGER YOUTH CENTER
- 501 BOARD OF RETIREMENT CASE REVIEW
- 503 UNIFORM ALLOWANCE
- 504 NIGHT SHIFT DIFFERENTIAL
- 505 CORONER'S INQUEST REPORTER
- 506 ALLOWANCE IN LIEU OF VEHICLE USE
- 507 CO-GENERATION MAINTENANCE
- 508 HENNINGER FLATS WATCHMAN
- 509 FREEZER WORK
- 510 DEPARTMENT HEAD MERIT
- 511 BOARD OF SUPERVISORS PERFORMANCE LUMP SUM
- 512 FIRE SUPPRESSION TRANSPORTATION TRUCK DRIVER
- 513 MOU LUMP SUM BONUS
- 514 BACKHOE OPERATOR
- 515 WEEKEND BONUS
- 516 EXPLOSIVES WORK
- 517 EVENING SHIFT DIFFERENTIAL
- 518 POWER EQUIPMENT REPAIR, SNOW CONDITIONS

- 519 ENGINEERING EMPLOYEES, HAZARD PAY
- 520 HOME CARE COMPENSATION
- 522 CUSTODIAN ACTING AS WATCHMAN
- 523 HYDROELECTRIC OPERATIONS
- 525 CONTRACTING & PRODUCTIVITY IMPROVE INCNTV FOR MNGR
- 528 WEBCOM PRESS OPERATOR
- 529 POWER EQUIPMENT OPERATOR, FIRE SUPPRESSION
- 531 STANDBY
- 532 ADDITIONAL RESPONSIBILITIES AND EXCEPTIONAL PERFORMANCE
- 533 POWER SWEEPER OPERATOR IN EMERGENCY CONDITIONS
- 534 POWER PLANT RELIEF ENGINEER
- 535 CLINIC PHYSICIAN FIRST HOUR
- 536 CONSULTING SPEC, MD & MNTL HEALTH CONSLT, 1<sup>st</sup> & 5<sup>th</sup>
- 538 RN ASSIGNED AS ACTING OR RELIEF CHARGE NURSE
- 539 RN WEEKEND DIFFERENTIAL
- 540 RELIEF NURSE HOLIDAY DIFFERENTIAL
- 541 RELIEF NURSE WEEKEND DIFFERENTIAL
- 542 EMERGENCY WORKPLACE DIFFERENTIAL
- 544 APPRAISERS LAUNDRY AND DRY-CLEANING ALLOWANCE
- 545 HEAVY DUTY TOW TRUCK DRIVER

- 546 SLURRY SEAL TRUCK\_DRIVER
- 547 COVID APPRECIATION
- 547HS HERO PAY – DHS
- 548 LIFEGUARD PARAMEDIC - RELIEF
- 550 INCENTIVE AWARDS FOR MEDI-CAL REIMBRMNTS/ HEALTH SR
- 551 GROUP INCENTIVE AWARD, TREASURER TAX COLLECTOR
- 552 STANDBY - EMERGENCY ROLL OUT PROGRAM
- 553 PIONEER EXCAVTN, TUNNEL OPERATNS, FIRE SUPP, SNOW
- 554 PIONEER EXCAVTN, TUNNEL OPERATNS, FIRE SUPP, SNOW
- 555 SCAFFOLD OR SWING STAGE, 30 FEET ABOVE GRADE
- 556 HIGH SCALE AND RIGGING OPERATIONS, GENERAL
- 557 EVENING SHIFT, MED TECH
- 558 NIGHT SHIFT, MED TECH
- 560 PHYSICIAN RECRUITMENT PROGRAM
- 565 PARAMEDIC RECERTIFICATION BONUS
- 565A PARAMEDIC RECERTIFICATION BONUS – ELIGIBILITY INDICATOR
- 567 DEPUTY SHERIFF RESERVE ANNUAL COMPENSATION
- 568 ASSESMENT APPEALS FULL DAY INCREMENT
- 569 PHYSICIAN LOAN PAYMENT PROGRAM
- 570 HOME CARE PROGRAM STANDYBY

- 571 CHILDREN'S SOCIAL WORKERS LICENSURE SUPERVISION
- 572 MOU LUMP SUM BONUS
- 574 STANDBY – INS WITNESS PROGRAM
- 575 WASTEWATER PLANT RELIEF BONUS
- 576 SOLO DAILY EARNINGS
- 577 INTERPRETER HALF DAY BONUS - SUP CT
- 578 ER ATTENDING PHYSICIAN - DAY RATE
- 579 ER ATTENDING PHY/-WKDY EVE/WKND HOLIDAY
- 580 ER ATTENDING PHY/-WKDY NITE/WKND HOLIDAY EVE NITE
- 581 SWIM PROFICIENCY BONUS
- 582 INTERPRETER REGULAR MULTIPLE LANGUAGE SAME DAY
- 583 INTERPRETER-HOURLY/DAILY MULT LANG SAME DAY
- 584 PHYSICIAN STIPENDS
- 585 ISA TREE WORKER CERTIFICATION
- 586 ISA CERTIFIED ARBORIST CREDENTIAL
- 587 ISA CERTIFIED QUALIFIED TREE RISK ASSESSOR CREDENTIAL
- 588 ISA MUNICIPAL SPECIALIST CREDENTIAL
- 589 MENTAL HEALTH SPECIALITY FIELD BASED BONUS
- 590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS
- 591 LICENSE REIMBURSEMENT

- 600 REGISTERED NURSE MOBILE INTENSIVE CARE CERTIFICATION,  
SUB-ITEM D
- 602 SUPERVISING TRANSPORTATION DEPT. PERFORMING  
DISPATCHER DUTIES
- 603 AUTOMOTIVE SERVICE EXCELLENCE CERTIFICATE
- 604 REGISTERED NURSE MOBILE INTENSIVE CARE CERTIFICATION
- 605 CUSTODIAN FLOOR WAXING BONUS
- 606 FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTY
- 606A FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTY –  
ELIGIBILITY INDICATOR
- 607 SUPERVISING DEPUTY PROBATION OFFICER (SPDO) ASSIGNED  
ACTING DIRECTOR IN A CAMP
- 608 BILINGUAL BONUS
- 609 REGISTERED NURSE ASSIGNED TO EMERGENCY ROOM
- 610 ANTELOPE VALLEY FIREFIGHTING CREW
- 611 TREE TRIMMER SUPERVISOR, POWER OPERATIONS
- 612 SHOOTING BONUS, EXPERT
- 613 SHOOTING BONUS, DISTINGUISHED EXPERT
- 614 SHOOTING BONUS, MARKSMAN
- 615 SHOOTING BONUS, SHARPSHOOTER
- 616 ANTELOPE VALLEY QUARTERS, ON FIRE CALL
- 617 CLINIC NURSE ASSIGNED TO PROBATION CAMP
- 618 TRANSPORTATION BUS DRIVER, SHERIFF

- 619 CERTIFIED ACCESS SPECIALIST
- 620 SAN GABRIEL DAM OPERATOR
- 621 NURSE RETENTION INCENTIVE
- 622 ADVANCED APPRAISER CERTIFICATION
- 624 BILINGUAL ADDITIONAL BONUS, CHILDREN'S SOCIAL WORK
- 625 AGRICULTURE INSPECTORS ASSIGNED TO STANDARDIZATION
- 627 DETENTION & TRANSPORTATION EXTRA SUPERVISION BONUS
- 628 BILINGUAL BONUS FOR OTHER THAN MONTHLY
- 628A BILINGUAL BONUS FOR OTHER THAN MONTHLY-ELIGIBILITY INDICATOR
- 629 MORTUARY ATTENDANT AT LAC+USCMC
- 630 SERVICE PAY BONUS
- 631 BILINGUAL BONUS-SUB D
- 632 MENTAL HEALTH WORKERS ASSIGNED SHERIFF DETENTION FACILITY
- 633 RN ASSIGNED TO EMERGENCY ROOM SUB D
- 634 SUPERVISING DETENTION SERVICES OFFICER OF THE DAY
- 635 TRANSPORTATION DEPUTY BUS DRIVER, PROBATION
- 636 INCIDENTAL EXPENSE ALLOWANCE
- 637 PROFESSIONAL DEVELOPMENT EXPENSES
- 638 PROBATION TELECOM EQUIPMENT BONUS
- 640 CHILDREN'S SERVICES ERCP RETENTION

- 641 SHOOTING BONUS, EXPERT – RESERVE
- 642 SHOOTING BONUS, DISTINGUISHED EXPERT – RESERVE
- 643 SHOOTING BONUS, MARKSMAN – RESERVE
- 644 SHOOTING BONUS, SHARPSHOOTER – RESERVE
- 645 EMERGENCY ROOM BONUS/PAT FIN SVCS WKR/PAT RES WKR
- 646 EMERGENCY ROLL OUT PROGRAM & SHIFT BONUS
- 647 BILINGUAL ADDITIONAL BONUS, PSYCH SOCIAL WORK
- 648 DEFIBRILLATION AIRWAY BONUS
- 649 MAMMOGRAPHY BONUS
- 690 CELLULAR PHONE STIPEND – VOICEMAIL
- 691 CELLULAR PHONE STIPEND - DATA ONLY
- 692 CELLULAR PHONE STIPEND - VOICE AND DATA
- 694 CIVIC CENTER COMMUTER ALLOWANCE
- 695 DEPARTMENT HEAD TRANSPORTATION ALLOWANCE
- 696 DEPARTMENT HEAD TRAFFIC MITIGATION ALLOWANCE
- 700 PENSIONABLE OVERTIME
- 730 PREMIUM OVERTIME - SYSTEM PENSIONABLE
- PF004 MEGAFLEX PENSIONABLE CONTRIBUTION
- PF007 FLEX PENSIONABLE CONTRIBUTION
- PF010 CHOICES PENSIONABLE CONTRIBUTION

PF013	OPTIONS PENSIONABLE CONTRIBUTION
PK003	NON-ELECTIVE LEAVE
PK011	SICK - 100%
PK012	HOLIDAY
PK021	VACATION
PK030	SPECIAL PAID LEAVE
PK031	APPRAISERS LEAVE
PK032	INTERN/RESIDENT LEAVE
PK113	SICK PRE-71
PKN03	SUPERIOR COURT NON-PENSIONABLE NON-ELECTIVE LEAVE BUY BACK
PKN21	SUPERIOR COURT NON-PENSIONABLE VACATION LEAVE BUY BACK
PKP11	SICK LEAVE BUY BACK 100%
PKP21	VACATION BUY BACK
PP046	EMPLOYEE SUGGESTION
NONE	REGISTERED NURSE ASSIGNED TO CRITICAL CARE UNITS
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – PREMIUM
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – COMPENSATORY TIME EARNED
NONE	POST, SUPERVISORY BONUS
OP100	CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – HORIZONS PLAN

- OP101 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – HORIZONS PLAN
- OP102 CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – SAVINGS PLAN
- OP103 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – SAVINGS PLAN
- TBD CIVIC CENTER STIPEND
- TBD ANTELOPE VALLEY STIPEND
- TBD NEW HIRE BONUS



October 21, 2022

TO: Trustees – Board of Retirement

FROM: Fern M. Billingsy   
Senior Staff Counsel

DATE: Board of Retirement Meeting of November 2, 2022

SUBJECT: **COMPENSATION EARNABLE AND PENSIONABLE COMPENSATION**

## **INTRODUCTION**

The Board of Retirement is charged with determining which items of compensation qualify as pensionable earnings includable in the member's retirement allowance. The Chief Executive Office of the County of Los Angeles recently requested determination of one existing item of compensation and one related new item of compensation. Based on our review, we have included recommendations regarding inclusion or exclusion within the definition of "final compensation" when calculating a member's benefit. Our analysis of these items is attached as Exhibit A for review.

## **COMPENSATION EARNABLE**

In January of 1998, the Board determined that, pursuant to the California Supreme Court's decision in Ventura County Deputy Sheriff's Association v. County of Ventura (1997) 16 Cal. 4<sup>th</sup> 483, certain items of remuneration must be included in the definition of "compensation earnable." The Board then adopted Resolution 98-001 identifying those items. Since that time, other Resolutions have been adopted when new items of compensation are determined to be included in or excluded from the definition of "compensation earnable." In making those determinations, the Board reviewed analysis of all items of compensation and adopted recommendations from the Legal Office regarding the definition of "compensation earnable."

Section 31461 defines "compensation earnable." It states:

- (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of

the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed “compensation earnable” when earned, rather than when paid.

- (b) “Compensation earnable” does not include, in any case, the following:
- (1) Any compensation determined by the board to have been paid to enhance a member’s retirement benefit under that system. That compensation may include:
    - (A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.
    - (B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member’s grade or class.
    - (C) Any payment that is made solely due to the termination of the member’s employment, but is received by the member while employed, except those payments that do not exceed what is earned and payable in each 12-month period during the final average salary period regardless of when reported or paid.
  - (2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned and payable in each 12-month period during the final average salary period, regardless of when reported or paid.
  - (3) Payments for additional services rendered outside of normal working

hours, whether paid in a lump sum or otherwise.

- (4) Payments made at the termination of employment, except those payments that do not exceed what is earned and payable in each 12-month period during the final average salary period, regardless of when reported or paid.
- (c) The terms of subdivision (b) are intended to be consistent with and not in conflict with the holdings in *Salus v. San Diego County Employees Retirement Association* (2004) 117 Cal.App.4th 734 and *In re Retirement Cases* (2003) 110 Cal.App.4th 426.

### **PENSIONABLE COMPENSATION**

With the enactment of the California Public Employees' Pension Act of 2013 (PEPRA), new members are subject to the definition of "pensionable compensation" in Section 7522.34(a), which states:

"Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of a member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules. (Emphasis added).

This section provides that any compensation outside of base pay may not be included in final compensation when calculating a member's retirement allowance. However, "base pay" is not defined in the statute. The section goes on to specifically delineate which items of compensation should be excluded.

Subdivision (c) states:

"Pensionable compensation" does not include the following:

- (1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.
- (2) Compensation that had previously been provided in kind to the member

- by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.
- (3) Any one-time or ad hoc payments made to a member.
  - (4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.
  - (5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.
  - (6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.
  - (7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.
  - (8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.
  - (9) Employer contributions to deferred compensation or defined contribution.
  - (10) Any bonus paid in addition to the compensation described in subdivision (a).
  - (11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).
  - (12) Any other form of compensation a public retirement board determines should not be pensionable compensation.

## **ITEMS OF COMPENSATION**

1. Assessment Appeals Board – Item No. 568 (Existing)

This pay code is being revised due to an update to County Code Section 6.44.020(A) that increased the rate/stipend for the Member Assessment

Appeals Board. The stipend has not changed since it was first established in 1995.

Prior to the update, each member of an Assessment Appeals Board was paid \$150 under Event Type 099 for the first session (Session 1) up to 4 hours as part of the member's regular earnings. An additional \$75 was paid under for each session exceeding a full day (Session 3) in any calendar day, for a maximum of \$300 payable per day. County Code Section 6.44.020(B) defines a half-day as under four hours, and defines full-day session as more than four hours but not exceeding six hours.

Under this revision, session 1, up to four hours, remains 099 Regular earning, but the session 2 rate, up to six hours, has been increased from \$75 to \$123. Nothing else has changed in the nature of the payment. No additional determination is currently necessary as the Board of Retirement has previously determined inclusion in the definition of final compensation for legacy member and exclusion in the definition of final compensation for PEPRA members. We have included the analysis based on the change in dollar amount.

**Recommendation:** Include under 31461  
Exclude under 7522.34

2. Assessment Appeals Board, Session 3 – Item No. 568A (New)

This new, but related pay item, compensates board members who exceed a full day session, over six hours, in any calendar day. As stated above, County Code Section 6.44.020(B) defines a half-day session as under four hours, and defines a full-day session as more than four hours but not to exceed six hours.

Compensation earnable and pensionable compensation do not include payments for services rendered outside of normal working hours. Session 3 of the Assessment Appeals Board meeting occurs after the definition of a full-

day session. This payment should be excluded for legacy and for PEPRA members.

**Recommendation:** Exclude under 31461(b)(3)  
Exclude under 7522.34(c)6 & (c)10

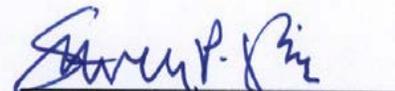
## CONCLUSION

Consistent with the foregoing, the attached Resolutions of the Board of Retirement specifying pay items as "Compensation Earnable" under Government Code section 31461 and "Pensionable Compensation" under Government Code section 7522.34 are submitted for approval by the Board.

## IT IS THEREFORE RECOMMENDED THAT THE BOARD:

1. Adopt the attached Resolutions, No. 2022-BR006, and No. 2022-BR007, specifying pay items as included and excluded from the definitions of "compensation earnable" and "pensionable compensation."
2. Instruct staff to coordinate with the County of Los Angeles to establish necessary reporting mechanism and procedures to permit LACERA to include or exclude these items when calculating final compensation.

Reviewed and Approved



Steven P. Rice  
Chief Counsel

FMB/et  
Attachments

Billingy/BOR/Comp Earn Pen Comp 10.21.22

# Exhibit A

## Attachment: Newly Created or Newly Revised Codes reviewed under Section 31461 and 7522.34

Event	Description	Earnings Code Description	31461 Reference	7522.34 Reference	Analysis
<b>Newly Revised and INCLUDED under Section 31461 and EXCLUDED under 7522.34</b>					
568	<b>ASSESSMENT APPEALS FULL DAY INCREMENT (REVISED)</b>	<p>This pay code is being revised due to an update to County Code Section 6.44.020(A) that increased the rate/stipend for the Member Assessment Appeals Board. The stipend has not changed since it was first established in 1995.</p> <p>Prior to the update, each member of an Assessment Appeals Board was paid \$75 under Event Type 568 for attending a full day's session (Session 2) of the board. County Code Section 6.44.020(A) has increased the rate to \$123 for a full day's session.</p> <p>County Code Section 6.44.020(B) defines a half-day as a session of four hours or less in any calendar day, and a full day (Session 2) is defined as a session of more than four hours but not exceeding six hours in any calendar day.</p>	(a)	(c)(3) (c)(10)	<p>This bonus constitutes remuneration for time worked by persons in the same grade or class of positions during the period, and at the same rate of pay. All Assessment Appeals Board members are entitled to this bonus if they satisfy the attendance requirements. The recommendation is to INCLUDE this bonus in compensation earnable for LEGACY members.</p> <p>This bonus constitutes an ad hoc payment under Section 7522.34 (c)(3). Bonus entitlement is contingent upon meeting attendance requirements. The bonus is paid in addition to the normal rate of base pay under (c)(10). The recommendation is to EXCLUDE this bonus from pensionable compensation for PEPRAs members.</p>
<b>Newly Created and EXCLUDED under Section 31461 and 7522.34</b>					
568A	<b>ASSESSMENT APPEALS EXCEEDING FULL DAY INCREMENT (3rd Session)</b>	<p>This code was created in response to the update to County Code Section 6.44.020(A), which increased the rate/stipend for the Member Assessment Appeals Board.</p> <p>Prior to the update, each member of an Assessment Appeals Board was paid \$75 for attending a session of the board that exceeded a full day (Session 3) in any calendar day. County Code Section 6.44.020(A) has increased the rate to \$124 for sessions exceeding a full day.</p> <p>County Code Section 6.44.020(B) defines a full day as a session of more than four hours but not exceeding six hours in any calendar day.</p>	(b)(3)	(c)(3) (c)(6) (c)(10)	<p>Assessment Appeals Board members are paid this additional bonus for attending board sessions that exceed a full day in any calendar day. This bonus constitutes a payment for additional services rendered outside of normal working hours under Section 31461 (b)(3). The recommendation is to EXCLUDE this bonus from compensation earnable for LEGACY members.</p> <p>This bonus constitutes an ad hoc payment under Section 7522.34 (c)(3). Bonus entitlement is contingent upon meeting attendance requirements. Assessment Appeals Board members are paid this additional bonus for attending board sessions that exceed a full day in any calendar day. This bonus constitutes a payment for additional services rendered outside of normal working hours under (c)(6). The bonus is paid in addition to the normal rate of base pay under (c)(10). The recommendation is to EXCLUDE this bonus from pensionable compensation for PEPRAs members.</p>

**BEFORE THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

RESOLUTION OF THE BOARD OF  
RETIREMENT SPECIFYING ITEMS  
OF REMUNERATION AS  
“COMPENSATION EARNABLE”

RESOLUTION NO. 2022-BR006

WHEREAS, LACERA calculates retirement allowances based on a member’s “final compensation;”

WHEREAS, LACERA is required to include in the calculation of “final compensation” a member’s base pay, and certain other items of remuneration, if such remuneration qualifies as “compensation” under Government Code section 31460 and “compensation earnable” under Government Code section 31461;

WHEREAS, on March 4, 1998, the Board of Retirement adopted Resolution No. 98-004 specifying certain items of remuneration payable to employees of the County of Los Angeles which the Board determined qualify as “compensation” under Government Code section 31460 and “compensation earnable” under section 31461.

WHEREAS, on August 4, 1999, the Board of Retirement adopted Resolution No. 99-001 specifying an additional item of remuneration qualifies as “compensation” and “compensation earnable” under Government Code sections 31460 and 31461, respectively.

WHEREAS, the Court’s ruling in *Ventura County Deputy Sheriff’s Association v. County of Ventura* (1997) 16 Cal. 4<sup>th</sup> 483 became final on October 1, 1997, and requires LACERA to include in the calculation of retirement allowances various forms of remuneration not formerly included.

WHEREAS, on July 30, 2020, the California Supreme Court filed its decision entitled *Alameda County Deputy Sheriff’s Association v. Alameda County Employees Retirement Association* (2020) 9 Cal.5th 1032 (“*Alameda*”). The *Alameda* decision concludes that all

amendments to the definition of compensation earnable in Government Code section 31461, enacted as a result of the PEPRA and related statutory changes to CERL, effective January 1, 2013 are constitutional. The *Alameda* court also determined that CERL retirement boards have no discretion to include items in compensation earnable that section 31461 requires them to exclude.

NOW THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The items of remuneration set forth in Attachment 1 qualify as “compensation earnable” as defined in Government Code section 31461, for purposes of calculating a member’s retirement allowance.
2. The items of remuneration set forth in Attachment 2 do not qualify as “compensation earnable” as defined in Government Code section 31461, for purposes of calculating a member’s retirement allowance.

BOARD OF RETIREMENT,  
LOS ANGELES COUNTY EMPLOYEES  
RETIREMENT ASSOCIATION

\_\_\_\_\_  
William Pryor  
Chair, Board of Retirement

Approved as to Form:

ATTEST:

\_\_\_\_\_  
Steven P. Rice  
Chief Counsel

\_\_\_\_\_  
Shawn Kehoe  
Vice Chair, Board of Retirement

ITEMS OF COUNTY REMUNERATION WHICH QUALIFY AS “COMPENSATION,” AS DEFINED BY GOVERNMENT CODE SECTION 31460, AND/OR “COMPENSATION EARNABLE,” AS DEFINED BY GOVERNMENT CODE SECTION 31461.

<b><u>EARNINGS NO.</u></b>	<b><u>CODE ITEMS</u></b>
099	PATROL STATION RETENTION BONUS
232	AGRICULTURAL WEIGHTS & MEASURE (AWM) INSPECTOR ASSIGNMENT BONUS
249	AGRICULTURE INSPECTORS AID ROVER BONUS
252	6TH AND 7TH STEP FINANCIAL SPECIALIST
253	HEALTHCARE FACILITY BONUS
254	FORENSIC ATTENDANT FIELD TRAINING BONUS
255	BEACHES & HARBORS ASSIGNMENT BONUS
259	TRAILS UNIT ASSIGNMENT BONUS
262	UNDERWATER RECOVERY – BEACHES AND HARBORS
262Y3	UNDERWATER RECOVERY – BEACHES AND HARBORS
262Y4	UNDERWATER RECOVERY – BEACHES AND HARBORS
334	CUSTODY ASSISTANT DRILL INSTRUCTOR/CUSTODY TRAINING AND STANDARDS BUREAU
335	CUSTODY ASSISTANT TRAINING OFFICER BONUS
336	PUBLIC RESPONSE DISPATCHER BONUS
341	IN-FLIGHT BONUS
342	HAZARDOUS MATERIALS CALARP
343	HAZARDOUS MATERIALS APSA

- 344 FIRE PREVENTION ENGINEERING ASSISTANT
- 346 HAZARDOUS MATERIALS II EMERGENCY OPERATIONS  
ASSIGNMENT
- 347 WELLNESS/FITNESS FOR LIFE BONUS – 1%
- 348 WELLNESS/FITNESS FOR LIFE BONUS – 2%
- 349 WELLNESS/FITNESS FOR LIFE BONUS
- 350 “PILOT PAY” – FIRE DEPARTMENT
- 355 FIREFIGHTER – PARAMEDIC
- 355Y2 FIREFIGHTER – PARAMEDIC
- 355Y3 FIREFIGHTER – PARAMEDIC
- 358 TEMPORARY PROMOTION BONUS
- 359 LIFEGUARD PARAMEDIC CATALINA BONUS
- 359Y2 LIFEGUARD PARAMEDIC CATALINA BONUS
- 362 PARAMEDIC COORDINATOR/EMS CAPTAIN
- 363 PEER SUPPORT BONUS
- 364 DECKHAND/BOAT OPERATOR/RESCUE WATERCRAFT BONUS
- 365 BACHELOR DEGREE BONUS
- 366 ADVANCED EDUCATIONAL DEGREE BONUS
- 369 ADVANCED EDUCATION DEGREE BONUS
- 381 DENTAL PROFESSIONALS BOARD CERTIFICATION BONUS
- 384 HIGH DESERT HEALTH ASSIGNMENT BONUS
- 388 SHERIFF DETENTION FACILITY ASSIGNMENT BONUS

- 389 MENTAL HEALTH PSYCHIATRIST BOARD CERTIFICATION –  
MORE THAN ONE SPECIALTY
- 391 COUNTY LIBRARY DIFFICULT TO RECRUIT ASSIGNMENT  
BONUS
- 393 OBSTETRICS/LABOR & DELIVERY ASSIGNMENT
- 394 MEDICAL HUB CLINIC ASSIGNMENT
- 415 SHERIFF DEPARTMENT ASSIGNMENT TO AERO BUREAU  
IONICS SHOP
- 416 SHERIFF DEPARTMENT WATER SYSTEMS BONUS – CHIEF  
OPERATOR
- 417 SHERIFF DEPARTMENT WATER SYSTEMS BONUS – SHIFT  
OPERATOR
- 418 ISD BONUS ASSIGNMENT – ENERGY MANAGEMENT SYSTEM  
SECTION (BEAS)
- 424 ABDMI REGISTRY CERTIFICATION BONUS
- 425 ABDMI BOARD CERTIFICATION BONUS
- 426 ASSESSOR REPRESENTATIVE
- 427 AUDITOR APPRAISER
- 428 APPRAISER FIELD TRAINER
- 439 CUSTODY TRAINING OFFICER
- 445 SPECIAL ENFORCEMENT DETAIL/CANINE SERVICES DETAIL  
(TACTICAL DUTY)
- 452 SUPERVISORY BONUS
- 457 PATROL STATION RETENTION BONUS

- 463 DRINKING WATER TREATMENT AND DISTRIBUTION
- 484 GEOTECHNICAL LICENSE BONUS
- 486 PLANS EXAMINER CERTIFICATION
- 487 REGISTRATION – LICENSE BONUS
- 488 BUILDING ENGINEERING INSPECTOR BONUS
- 497 INSTITUTIONS BONUS
- 503 UNIFORM ALLOWANCE
- 504 NIGHT SHIFT DIFFERENTIAL
- 505 CORONER’S INQUEST REPORTER
- 506 VEHICLE USE ALLOWANCE
- 507 CO-GENERATION MAINTENANCE
- 508 HENNINGER FLATS WATCHMAN
- 509 FREEZER WORK
- 510 DEPARTMENT HEAD MERIT
- 511 BOARD OF SUPERVISORS PERFORMANCE LUMP SUM
- 512 FIRE SUPPRESSION TRANSPORTATION TRUCK DRIVER
- 514 BACKHOE OPERATOR
- 515 WEEKEND BONUS
- 516 EXPLOSIVES WORK
- 517 EVENING SHIFT DIFFERENTIAL
- 518 POWER EQUIPMENT REPAIR, SNOW CONDITIONS
- 519 ENGINEERING EMPLOYEES, HAZARD PAY

- 520 HOME CARE COMPENSATION
- 522 CUSTODIAN ACTING AS WATCHMAN
- 523 HYDROELECTRIC OPERATIONS
- 525 CONTRACTING AND PRODUCTIVITY IMPROVEMENT INCENTIVE FOR MANAGERS
- 528 WEBCOM PRESS OPERATOR
- 529 POWER EQUIPMENT OPERATOR, FIRE SUPPRESSION
- 530 RN EXTRA WEEKENDS WORKED
- 532 ADDITIONAL RESPONSIBILITIES OR EXCEPTIONAL PERFORMANCE
- 533 POWER SWEEPER OPERATOR IN EMERGENCY CONDITIONS
- 534 POWER PLANT RELIEF ENGINEER
- 535 CLINIC PHYSICIAN, FIRST HOUR AND ONE-HALF
- 536 CONSULTING SPECIALIST, MD, & MENTAL HEALTH CONSULTANT, MD, FIRST AND FIFTH HOURS
- 538 RN ASSIGNED AS ACTING OR RELIEF CHARGE NURSE
- 539 RN WEEKEND DIFFERENTIAL
- 540 RELIEF NURSE HOLIDAY DIFFERENTIAL (HOURLY ITEM)
- 541 RELIEF NURSE WEEKEND DIFFERENTIAL (HOURLY ITEM)
- 544 APPRAISERS LAUNDRY AND DRY-CLEANING ALLOWANCE
- 545 HEAVY DUTY TOW TRUCK DRIVER

- 546 SLURRY SEAL TRUCK DRIVER
- 547 COVID APPRECIATION
- 547HS HERO PAY - DHS
- 548 LIFEGUARD PARAMEDIC – HOURLY
- 550 INCENTIVE AWARDS FOR MEDI-CAL REIMBURSEMENTS,  
HEALTH SERVICES
- 551 GROUP INCENTIVE AWARD, TREASURER TAX COLLECTOR
- 553 PIONEER EXCAVATION, TUNNEL OPERATIONS, FIRE  
SUPPRESSION, AND SNOW REMOVAL - CONSTRUCTION  
INSPECTION AND SURVEYING GROUPS
- 554 PIONEER EXCAVATION, TUNNEL OPERATIONS, FIRE  
SUPPRESSION, AND SNOW REMOVAL
- 555 SCAFFOLD OR SWING STAGE, 30 FEET ABOVE GRADE
- 556 HIGH SCALE AND RIGGING OPERATIONS, GENERAL
- 557 EVENING SHIFT, MED TECH
- 558 NIGHT SHIFT, MED TECH
- 565 PARAMEDIC RECERTIFICATION BONUS
- 567 DEPUTY SHERIFF RESERVE ANNUAL COMPENSATION
- 568 ASSESSMENT APPEALS BOARD FULL DAY
- 571 CSW LICENSURE SUPERVISION
- 572 MOU LUMP SUM BONUS
- 575 WASTEWATER PLANT RELIEF BONUS
- 576 “SOLO DAILY” PAY – COURT REPORTERS

- 577 INTERPRETER HALF DAY BONUS – SUP. CT.
- 581 SWIM PROFICIENCY BONUS
- 585 ISA TREE WORKER CERTIFICATION
- 586 ISA CERTIFIED ARBORIST CREDENTIAL
- 587 ISA CERTIFIED QUALIFIED TREE RISK ASSESSOR CREDENTIAL
- 588 ISA MUNICIPAL SPECIALIST CREDENTIAL
- 589 MENTAL HEALTH SPECIALITY FIELD BASED BONUS
- 590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS
- 601 LIFEGUARD PARAMEDIC, RELIEF
- 602 SUPERVISING TRANSPORTATION DEPUTY PERFORMING  
DISPATCHER DUTIES
- 603 AUTOMOTIVE SERVICE EXCELLENCE CERTIFICATES
- 604 RN MOBILE INTENSIVE CARE CERTIFICATION
- 605 CUSTODIAN FLOOR WAXING BONUS
- 606 FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTIES
- 606A FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTIES  
– ELIGIBILITY INDICATOR
- 607 SDPO ASSIGNED ACTING DIRECTOR IN A CAMP
- 608 BILINGUAL BONUS
- 609 RN ASSIGNED TO EMERGENCY ROOM
- 610 ANTELOPE VALLEY FIREFIGHTING CREW

- 611 TREE TRIMMER SUPERVISOR, POWER OPERATIONS
- 612 SHOOTING BONUS, EXPERT
- 613 SHOOTING BONUS, DISTINGUISHED EXPERT
- 614 SHOOTING BONUS, MARKSMAN
- 615 SHOOTING BONUS, SHARPSHOOTER
- 616 ANTELOPE VALLEY QUARTERS, ON FIRE CALL
- 617 CLINIC NURSE ASSIGNED TO PROBATION CAMP
- 618 TRANSPORTATION BUS DRIVER, SHERIFF
- 619 CERTIFIED ACCESS SPECIALISTS
- 620 SAN GABRIEL DAM OPERATOR
- 621 NURSE RETENTION INCENTIVE
- 622 ADVANCED APPRAISER CERTIFICATION
- 623 PROBATION TRANSCRIBER TYPIST PRODUCTION INCENTIVE
- 624 BILINGUAL ADDITIONAL BONUS, CHILDREN'S SOCIAL WORKERS
- 625 AGRICULTURE INSPECTORS ASSIGNED TO STANDARDIZATION
- 626 FIREFIGHTER PARAMEDIC NOT ASSIGNED TO A PARAMEDIC POST
- 627 DETENTION AND TRANSPORTATION EXTRA SUPERVISION BONUS
- 628 BILINGUAL BONUS FOR OTHER THAN MONTHLY EMPLOYEES
- 629 MORTUARY ATTENDANT AT LAC/USC MC

- 630 SERVICE PAY BONUS
- 632 MENTAL HEALTH WORKERS ASSIGNED TO SHERIFF'S  
DETENTION FACILITIES
- 634 SUPERVISING DETENTION SERVICES OFFICER OF THE DAY
- 635 TRANSPORTATION DEPUTY BUS DRIVER, PROBATION
- 636 SHERIFF'S STATION COMMANDER EXPENSES
- 637 PROFESSIONAL DEVELOPMENT EXPENSES
- 638 PROBATION TELECOM EQUIPMENT BONUS
- 639 INTERN HOUSING ALLOWANCE LAC/USC MED. CENTER
- 640 CHILDREN'S SERVICES ERCP RETENTION
- 641 SHOOTING BONUS, EXPERT – RESERVE
- 642 SHOOTING BONUS, DISTINGUISHED EXPERT – RESERVE
- 643 SHOOTING BONUS, MARKSMAN – RESERVE
- 644 SHOOTING BONUS, SHARPSHOOTER – RESERVE
- 645 WELDER CERTIFICATION BONUS
- 646 EMERGENCY ROLLOUT PROGRAM & SHIFT BONUS
- 647 BILINGUAL ADDITIONAL BONUS, PSYCHIATRIC SOCIAL WORK
- 648 DEFIBRILLATION AIRWAY BONUS
- 649 MAMMOGRAPHY BONUS
- 650 PRESIDING JUDGE 4% BONUS
- 653 EQUINE HANDLERS PAY

653	K-9 HANDLERS PAY
694	PARK, TAXABLE
695	TRANSPORTATION ALLOW
696	TRAFFIC MITIGATION
700	“OVERNIGHT TRIP” PAY - SHERIFF’S STATEWIDE UNIT
730	PREMIUM OVERNIGHT TRIP
782	FLSA PREMIUM PAY FOR REGULARLY SCHEDULED WORK ASSIGNMENT
903	NON-ELECTIVE LEAVE BUYBACK
910	SICK BUYBACK
911	VACATION BUYBACK
912	HOLIDAY BUYBACK
913	SICK PRE-71 BUYBACK
914	SICK BUYBACK –PROBATION 56 – HOUR
915	VACATION BUYBACK - 56 HOUR
930	SPECIAL PAID LEAVE BUYBACK
931	APPRAISERS LEAVE BUYBACK
932	INTERN/RESIDENT LEAVE BUYBACK
PP046	EMPLOYEE SUGGESTION
NONE	PARK, NONTAXABLE
NONE	PRIOR SALARY
NONE	56 HOUR TO 40 HOUR ASSIGNMENT BONUS

NONE	REGISTERED NURSE ASSIGNED TO CRITICAL CARE UNIT
TBD	CIVIC CENTER STIPEND

ITEMS OF COUNTY REMUNERATION WHICH DO NOT QUALIFY AS "COMPENSATION," AS DEFINED BY GOVERNMENT CODE SECTION 31460, AND/OR "COMPENSATION EARNABLE," AS DEFINED BY GOVERNMENT CODE SECTION 31461.

<u>EARNINGS NO.</u>	<u>CODE ITEMS</u>
036	ESP SEVERANCE
075	UNION HALL HIRING VACATION/HOLIDAY BENEFIT
076	FAMILY LEAVE
090	ENHANCED VOLUNTARY TIME OFF LESS THAN 60 DAYS
091	ENHANCED VOLUNTARY TIME OFF GREATER THAN 60DAYS
094	VACATION IN LIEU OF PAY
095	ENHANCED VOLUNTARY TIME OFF-SUPERIOR COURT
128	MILEAGE EARNINGS
129	PARKING
130	SHORT TERM DISABILITY – 60%
131	SHORT-TERM DISABILITY – 40%
140	SHORT TERM DISABILITY – 60% RDO
141	SHORT TERM DISABILITY – 40% RDO
151	INDUSTRIAL ACCIDENT – 100%
152	INDUSTRIAL ACCIDENT – 100% RDO
153	INDUSTRIAL ACCIDENT – 70%
154	INDUSTRIAL ACCIDENT – 70% RDO

158 LIMITED DUTY INDUSTRIAL ACCIDENT – 100%

159 LIMITED DUTY INDUSTRIAL ACCIDENTS – 70%

388 PSYCHIATRY JAIL BONUS

407 SKILL AND RESPONSIBILITY BONUS

500 RELOCATE NON-TAXABLE

502 RELOCATION ALLOWANCE

521 IRS PENALTY REIMBURSEMENT

524 ON-CALL FOR COURT APPEARANCE

527 RELIEF DAM OPERATOR, ON CALL

531 STANDBY

531SP STANDBY AUTH FOR SHERIFF & PUBLIC WORKS DEPTS ONLYBU  
411/412

542 EMERGENCY WORKPLACE DIFFERENTIAL

543 CALL BACK EXTRA COMPENSATION

547 COVID – 19 APPRECIATION PAYMENT

552 STANDBY – EMERGENCY ROLL OUT PROGRAM

559 MISCELLANEOUS LUMP SUM INCLUDED IN REG. OT

560 RECRUITMENT INCENTIVE PROGRAM

561 HOURS PAID BUT NOT WORKED, CALL-BACK

562 MENTAL HEALTH ALERT & PSYCH MOB RESP TEAMSTANDBY

563 RELIEF DAM OPERATIONS STAND-BY

- 564 TUITION REIMBURSEMENT
- 566 QUALIFIED FOR HAZARDOUS MATERIALS OVERTIME CALC.
- 568A ASSESSMENT APPEALS BOARD EXCEEDING FULL DAY
- 569 PHYSICIANS LOAN REPAYMENT PROGRAM
- 570 HOME CARE PROGRAM STANDBY
- 574 STANDBY – INS WITNESS PROGRAM
- 590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS
- 591 LICENSE REIMBURSEMENT
- 650 PRESIDING JUDGE 4% BONUS
- 651 MEAL REIMBURSEMENT – RESIDENTS
- 652 MEAL REIMBURSEMENT – PLANT ENGINEERS
- 690 CELLULAR PHONE STIPEND – VOICEMAIL
- 691 CELLULAR PHONE STIPEND – DATA ONLY
- 692 CELLULAR PHONE STIPEND – VOICE AND DATA
- 699W FLEXIBLE WORK TIME EARNED
- 701 PAID OVERTIME
- 702 PAID OVERTIME – ACCRUE FLSA PREMIUM
- 703 FLSA COMP TIME EARNED-ACCRUE FLSA PREMIUM
- 705 COMPENSATORY TIME EARNED
- 707 FY93 COMPENSATORY TIME EARNED

- 708 FY93 FLSA COMP TIME EARNED – ACCRUE FLSA PREMIUM
- 709 FY93 FLSA COMP TIME EARNED OVRD – ACCRUE FLSA PREMIUM
- 710 DISASTER RELATED PAID OVERTIME
- 711 DISASTER COMP TIME EARNED (ACCRUED)
- 712 CONTRACT RELATED PAID OVERTIME
- 713 ER PHYSICIAN OVERTIME – DAY RATE
- 714 ER PHYSICIAN OVERTIME – WKDY EVE/WKND HOL DAY
- 715 ER PHYSICIAN OVERTIME – WKDY NITE/WKND HOL EVENITE
- 716 GUARANTEED PREMIUM
- 717 PAID OVERTIME – GUARANTEED ACCRUED FLSAPREMIUM
- 718 FLSA COMP TIME EARNED – GUARANTEED ACCRUED FLSA PREMIUM
- 719 FLSA COMP TIME EARNED – GUARANTEED PAID PREMIUM
- 720 SPECIAL EVENTS OVERTIME
- 731 PREMIUM OVERTIME – SYSTEM
- 733 PREMIUM OVERTIME – MANUAL
- 735 FY93 ACCRUED FLSA PREMIUM OVERTIME (SYSTEM)
- 736 FY93 ACCRUED FLSA PREMIUM OVERTIME (MANUAL)
- 746 CALL BACK ACTUAL
- 747 CALL BACK GUARANTEED
- 761 STRAIGHT TIME AND ONE-HALF

- 775 SECONDARY OVERTIME
- 776 ALTERNATE OVERTIME
- 777 SECONDARY ASSIGNMENT OVERTIME
- 778 OVERTIME – FIRE DEPT. 56 HOUR
- 779 SECONDARY OVERTIME – FIRE DEPT. 56 HOUR
- 780 WORKDOWN OVERTIME – FIRE DEPT.
- 781 OVERTIME – FIRE DEPT. 40 HOUR
- 782 PLATOON/40/HOUR/DISPATCHER SCHED PREMIUM –SYSTEM
- 783 DISPATCHER BRIEFING TIME
- 784 40 HOUR CAMP-GUARANTEED PREMIUM
- 791 ORDERED OVERTIME
- 792 UNCOMPENSATED BRIEFING TIME
- 793 COMPENSATED BRIEFING TIME – SYSTEM
- 794 COMPENSATED BRIEFING TIME – MANUAL
- 795 FY93 ORDERED FLSA COMP TIME EARN – ACCR FLSA PREMIUM
- 796 ORDERED FLSA COMP TIME EARN-ACCR FLSA PREMIUM
- 799 FLEX REG HOURS BETWEEN 181 AND 192 FOR 40HR FIRE FIGHTERS
- 901 COMPENSATORY TIME BUYBACK
- 902 PROTECTED COMPENSATORY TIME BUYBACK
- 904 ELECTIVE-LEAVE BUYBACK

- 905 FLSA COMP TIME BUYBACK – PREMIUM
- 906 FLSA COMP TIME BUYBACK – STRAIGHT
- 907 FY93 COMPENSATORY TIME BUYBACK
- 908 FY93 FLSA COMP TIME BUYBACK – PREMIUM
- 909 FY93 FLSA COMP TIME BUYBACK – STRAIGHT
- 916 VACATION IN LIEU OF PAY – BUYBACK
- 917 DISASTER COMP TIME BUYBACK
- 918 FY93-56 HOUR COMP TIME BUYBACK – FIRE DEPT.
- 919 ACCRUED PREMIUM BUYBACK – SYSTEM
- 920 FY93 FLSA COMP TIME BUYBACK – PREMIUM (MANUAL)
- 951 ESP VACATION PAYOUT
- 952 FINAL PAY LEAVE PAYOUT (SICK, HOLIDAY, OT)
- 953 ESP LEAVE PAYOUT
- 954 VACATION PAYOUT
- 955 VACATION IN LIEU OF PAY – PAYOUT
- 957 56-HOUR LEAVE PAYOUT
- 958 56-HOUR TC VACATION
- 961 ESP DEFERRED VACATION PAYOUT
- 962 DEFERRED LEAVE PAYOUT
- 963 ESP DEFERRED LEAVE PAYOUT

964 DEFERRED VACATION PAYOUT  
967 56-HOUR DEFERRED LEAVE PAYOUT  
968 56-HOUR DEFERRED VACATION PAYOUT  
970 FLSA PREMIUM COMPENSATORY TIME – PAYOUT  
971 FY93 COMP TIME PAYOUT (EXCLUDING PREMIUMS)  
OP005 PENSIONABLE STANDBY PAY  
OP100 CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – HORIZONS  
PLAN  
OP101 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – HORIZONS  
PLAN  
OP102 CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – SAVINGS  
PLAN  
OP103 CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – SAVINGS  
PLAN  
PA099 ROUNDING ADJUSTMENT  
PE803 EXCESS STRAIGHT – FLSA COMP TIME TAKEN  
PE804 EXCESS PREMIUM – FLSA COMP TIME TAKEN  
PE806 EXCESS STRAIGHT – FY93 FLSA COMP TIME TAKEN  
PE807 EXCESS PREMIUM – FY93 FLSA COMP TIME TAKEN  
PE813 CAPE – EXCESS STRAIGHT – FY93 FLSA COMP TIME TAKEN  
PE814 CAPE - EXCESS PREMIUM – FY93 FLSA COMP TIME TAKEN  
PFA36 FLEX EARNINGS ADVANCE  
PK094 VACATION IN LIEU OF PAY

PK096 SUPERIOR COURT VACATION IN LIEU OF PAY  
PK801 COMPENSATORY TIME TAKEN  
PK802 PROTECTED COMPENSATORY TIME TAKEN  
PK803 FLSA COMP TIME TAKEN – STRAIGHT  
PK804 FLSA COMP TIME TAKEN – PREMIUM  
PK805 FY93 COMPENSATORY TIME TAKEN  
PK806 FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PK807 FY93 FLSA COMP TIME TAKEN – PREMIUM  
PK808 DISASTER COMP TIME TAKEN  
PK810 CALL BACK ACCRUE – STRAIGHT TAKEN  
PK811 CALL BACK GUARANTEED CTO – BUY BACK  
PK812 DFR 1 YR - NON-FLSA COMPENSATORY STRT TIME –USAGE  
PK813 CAPE-FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PK814 CAPE-FY93 FLSA COMP TIME TAKEN – PREMIUM  
PK815 DFR 1 YR – FLSA COMPENSATORY STRT TIME – USAGE  
PK816 DFR 2 YRS – FLSA COMPENSATORY STRT TIME – USAGE  
PK818 DFR 1 YR – FLSA PREMIUM OVERTIME USAGE  
PK819 DFR 2 YR – FLSA PREMIUM OVERTIME USAGE  
PK821 DFR 1 YR – CALL BACK - STRAIGHT USAGE  
PKN03 SUPERIOR COURT NON-PENSIONABLE NON-ELECTIVE LEAVE  
BUY BACK

PKN21 SUPERIOR COURT NON-PENSIONABLE VACATION LEAVE BUY  
BACK

PO002 ELECTIVE LEAVE TERM PAY OFFSET

PO699 FLEXIBLE WORK SCHEDULE

PO703 STRAIGHT PAY OFFSET – FLSA COMP TIME EARNED – ACCRUE

PO705 STRAIGHT PAY OFFSET – COMPENSATORY TIME EARNED

PO711 STRAIGHT PAY OFFSET – DISASTER COMP TIME EARNEDACC

PO796 STRAIGHT PAY OFFSET – ORDERD FLSA COMP TM EARN –ACCR

PP005 STANDBY PAY - PENSIONABLE

PT002 ELECTIVE LEAVE

PT003 NON-ELECTIVE LEAVE

PT006 DONATED SICK 100% LEAVE – USAGE

PT008 SICK LEAVE EARNED AT MTA/ATTORNEY

PT011 SICK – 100%

PT012 HOLIDAY

PT021 VACATION

PT030 SPECIAL PAID LEAVE

PT031 APPRAISERS LEAVE

PT032 INTERN/RESIDENT LEAVE

PT046 JUDICIAL ASSISTANT SPECIAL PAID LEAVE

PT081 BANK HOLIDAY

PT082 BANK VACATION  
PT094 VACATION IN LIEU OF PAY  
PT096 SUPERIOR COURT VACATION IN LIEU OF PAY  
PT099 REGULAR EARNINGS – MID PAY PERIOD TERMINATION  
PT113 SICK PRE-71  
PT699 FLEXIBLE WORK TIME EARNED  
PT801 COMPENSATORY TIME TAKEN  
PT802 PROTECTED COMPENSATORY TIME TAKEN  
PT803 FLSA COMP TIME TAKEN – STRAIGHT  
PT804 FLSA COMP TIME TAKEN – PREMIUM  
PT805 FY93 COMPENSATORY TIME TAKEN  
PT806 FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PT807 FY93 FLSA COMP TIME TAKEN – PREMIUM  
PT808 DISASTER COMP TIME TAKEN  
PT810 CALL BACK ACCRUE - STRAIGHT TAKEN  
PT811 CALL BACK GUARANTEED CTO – TERMINATION  
PT812 DFR 1 YR – NON-FLSA COMPENSATORY STRT TIME – USAGE  
PT813 CAPE – FY93 FLSA COMP TIME TAKEN – STRAIGHT  
PT814 CAPE – FY93 FLSA COMP TIME TAKEN – PREMIUM  
PT815 DFR 1 YR – FLSA COMPENSATORY STRT TIME – USAGE

PT816	DFR 2 YRS – FLSA COMPENSATORY STRT TIME – USAGE
PT817	YTD – FLSA PREMIUM OVERTIME USAGE
PT818	DFR 1 YR – FLSA PREMIUM OVERTIME USAGE
PT819	DFR 2 YR – FLSA PREMIUM OVERTIME USAGE
PT820	YTD – CALL BACK – STRAIGHT USAGE
PT821	DFR 1 YR – CALL BACK – STRAIGHT USAGE
PTNHT	HOLD CURRENT ACCRL – NON-ELECTIVE LEAVE – TERMINATION USAGE
PTVAT	SUPERIOR COURT, RESERVE VACATION – TERMINATION USAGE
PTVPT	SUPERIOR COURT, PRIOR YR RSRV VACATION – TERMINATION USAGE
RP005	PENSIONABLE STANDBY PAY – OFFSET
NONE	MEGAFLEX INDUSTRIAL ACCIDENT
NONE	COUNTY CAR (IMPUTED INC)
NONE	IMPUTED INCOME (DOMESTIC PARTNER)
NONE	IMPUTED INC (LIFE INSURANCE)
NONE	SECTION 170 OVERTIME
NONE	EARNED SALARY ADVANCE
NONE	VACATION PAY ADVANCE
NONE	56 HOUR OVERTIME
NONE	ADJUSTMENT NON-TAX
NONE	RETRO PAY

NONE	EARNED INCOME CREDIT
NONE	UNDERPAYMENT ADVANCE
NONE	O/S SICK PAY
NONE	RETRO ADVANCE
NONE	T/A MILEAGE
NONE	ADVANCED DISABILITY RETIREMENT
NONE	STD REFUND
NONE	LTD REFUND
NONE	LTDH REFUND
NONE	SIB REFUND
NONE	56 VILOP PAY
NONE	VOLUNTARY DEFERRED PAY
NONE	RETRO FLEX BASE
NONE	NR DEFERRED PAY
NONE	F.MF DEFERRED PAY
NONE	DEF LUMP SUM
NONE	DEFERRED PAY
NONE	VOLUNTARY SEPARATION PLAN
NONE	STOP PAYMENT
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – PREMIUM

NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – COMPENSATORY TIME EARNED
TBD	ANTELOPE VALLEY STIPEND
TBD	NEW HIRE BONUS

**BEFORE THE BOARD OF RETIREMENT  
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

RESOLUTION OF THE BOARD OF  
RETIREMENT SPECIFYING ITEMS  
OF REMUNERATION AS  
“PENSIONABLE COMPENSATION”

RESOLUTION NO. 2022-BR007

WHEREAS, Government Code section 7522.34 governs the determination of pensionable compensation for those members who became active members for the first time on or after January 1, 2013, who are subject to the California Public Employees’ Pension Reform Act of 2013; and

WHEREAS, LACERA calculates retirement allowances based on a member’s final compensation; and

WHEREAS, LACERA is required to include in the calculation of “final compensation,” a member’s base pay and certain other items of compensation, if such compensation qualifies as “pensionable compensation” under Government Code section 7522.34; and

WHEREAS, Government Code section 7522.34 defines “pensionable compensation” as: “. . .the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules”; and

WHEREAS, the Board has analyzed each current pay item and determined whether or not those items should be included in “pensionable compensation”; and

WHEREAS, the Board may find it necessary from time to time to amend its determinations based on changes made by employers, the Legislature, or the Courts;

NOW THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. For purposes of calculating a member's retirement allowance, earnings on or after January 1, 2013, for members subject to Government Code section 7522.32, as set forth in Attachment No. 1 do not qualify as "pensionable compensation" as defined in section 7522.34.

BOARD OF RETIREMENT,  
LOS ANGELES COUNTY EMPLOYEES  
RETIREMENT ASSOCIATION

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William Pryor  
Chair, Board of Retirement

Approved as to Form:

ATTEST:

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Steven P. Rice  
Chief Counsel

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Shawn Kehoe  
Vice Chair, Board of Retirement

ITEMS OF REMUNERATION EARNED ON OR AFTER JANUARY 1, 2013, FOR MEMBERS SUBJECT TO GOVERNMENT CODE SECTION 7522.32, WHICH DO NOT QUALIFY AS "PENSIONABLE COMPENSATION" AS DEFINED IN SECTION 7522.34.

**EARNINGS NO.CODE ITEMS**

200	76-INCH MOWER BONUS
201	ACTING DEPARTMENT HEAD
202	ACTING MEDICAL DIRECTOR
203	ADDITIONAL RESPONSIBILITIES
204	AMERICAN MEDICAL ASSOCIATION BOARD CERT 8.25%
205	AMERICAN MEDICAL ASSOCIATION BOARD CERT 5.50%
209	MANPOWER SHORTAGE RANGE
210	MEDICAL DIRECTOR'S BONUS - 2.75
211	MEDICAL DIRECTOR'S BONUS - 5.50%
212	MEDICAL DIRECTOR'S BONUS - 8.25%
214	OUT OF CLASS BONUS
215	POST BONUS - ADVANCE/EXECUTIVE
217	POST BONUS – INTERMEDIATE
219	SUPERIOR SUBORDINATE PAY
220	WATCHMAN – CUSTODIAN
221	WELFARE RECIPIENT SUPERVISOR
222	OUT OF CLASS BONUS SCHEDULE/LEVEL/PERCENT
223	TEMPORARY CLERICAL & OFFICE SERVICES EMPLOYEES

- 224 PBP NON-BASE MERIT SALARY ADJUSTMENT
- 225 EXECUTIVE SECRETARY ADDED SALARY SCHEDULES
- 227 PBP TO SCHEDULE SALARY ADJUSTMENT
- 228 ADDITIONAL RESPONSIBILITIES – REPRESENTED
- 229 TEMPORARY SPECIAL MAP ACHIEVEMENT – FLAT
- 230 TEMPORARY SPECIAL MAP ACHIEVEMENT – PERCENT
- 231 TEMPORARY ASSIGNMENT MAP EMPLOYEE – FLAT
- 240 AGRICULTURAL INSPECTOR BONUS
- 243 CAREER DEVELOPMENT INTERN BONUS
- 248 REGIONAL PLANNING AICP CERTIFICATION BONUS
- 249 AGRICULTURE INSPECTORS AID ROVER BONUS
- 250 ACCOUNTING CERTIFICATE
- 252 6TH AND 7TH STEP FINANCIAL SPECIALIST
- 254 FORENSIC ATTENDANT FIELD TRAINING BONUS
- 256 ANIMAL CONTROL MGR-BOARD LIAISON BONUS
- 257 HALF STEP-01
- 258 HALF STEP-02
- 263 AUDITOR-CONTROLLER MERIT - ONE SCHEDULE
- 264 AUDITOR-CONTROLLER MERIT - TWO SCHEDULES
- 265 AUDITOR-CONTROLLER MERIT - THREE SCHEDULES
- 266 AUDITOR-CONTROLLER MERIT - FOUR SCHEDULES
- 267 AUDITOR-CONTROLLER MERIT - FIVE SCHEDULES

268 AUDITOR-CONTROLLER MERIT - SIX SCHEDULES  
270 BOARD OF SUPERVISOR SPECIAL ASSIGNMENT  
271 ASSESSMENT APPEALS BOARD ASSIGNMENT  
272 HEAD BOARD SPECIALIST ADDITIONAL STEPS  
273 MAPP TIER II STEP 13  
274 MAPP TIER II STEP 14  
275 MAPP TIER II STEP 15  
276 MAPP TIER II STEP 16  
277 MAPP TIER II STEP 17  
278 MAPP TIER II STEP 18  
281 MAPP TO SCHEDULE FLAT AMOUNT  
282 MAPP TO SCHEDULE PERCENTAGE  
283 PERM PHYSICIAN TRANSITION RATE – PERCENT  
285 COURT CLERK - GREATER SKILLS  
291 INTERGOVERNMENTAL RELATIONS  
293 LEGISLATIVE REPRESENTATIVE-CAO  
295 MANAGEMENT TRAINEE  
300 CURATOR BONUS  
310 LEGISLATIVE ADVOCATE – COUNTY COUNSEL  
320 ACCOUNTING CERTIFICATE – DA  
321 DISTRICT ATTORNEY – OUT OF CLASS BONUS  
322 RECLASSIFIED INVESTIGATOR

- 323 ANTELOPE VALLEY ASSIGN. 30 MILES FROM RESIDENCE
- 332 JOURNEY EMPLOYEES BONUS
- 334 CUSTODY ASSISTANT DRILL INSTRUCTOR/CUSTODY TRAINING AND STANDARDS BUREAU
- 335 CUSTODY ASSISTANT TRAINING OFFICER BONUS
- 336 PUBLIC RESPONSE DISPATCHER BONUS
- 338 ELEVATOR ADJUSTOR
- 340 A OR B MOTOR VEHICLE LICENSE BONUS
- 342 HAZARDOUS MATERIALS CALARP
- 343 HAZARDOUS MATERIALS APSA
- 344 FIRE PREVENTION ENGINEERING ASSISTANT
- 347 WELLNESS/FITNESS FOR LIFE BONUS – 1%
- 348 WELLNESS/FITNESS FOR LIFE BONUS – 2%
- 349 WELLNESS/FITNESS FOR LIFE BONUS
- 356 FIRE SAFETY PERSONNEL BONUS
- 357 HELICOPTER INSPECTION LICENSE
- 358 TEMPORARY PROMOTION BONUS
- 361 TEMPORARY PROMOTION BONUS - NON-SCHEDULE
- 365 BACHELOR DEGREE BONUS
- 366 ADVANCED EDUCATIONAL DEGREE BONUS
- 367 MEDICAL STAFF CREDENTIALING ASSIGNMENTBONUS
- 368 RN ASSIGNED TO SHERIFFS DEPT
- 369 RN ADVANCED EDUCATIONAL DEGREE BONUS

- 370 CLINIC NURSE - STAND BY
- 371 CLINICAL INSTRUCTOR - GENERAL
- 372 CLINICAL INSTRUCTOR - LAC+USC MEDICAL CENTER
- 373 EMERG MEDICINE - BOARD CERTIFICATION
- 374 EMERG MEDICINE - BOARD CERT
- 375 EMERG MEDICINE - BOARD CERTIFICATION 8.25%
- 376 HIGH DESERT HOSPITAL - PHYSICIAN BONUS
- 377 JOURNEY EMPLOYEES BONUS
- 379 SUPERVISING NURSE - ICU
- 380 SUPVG RAD TECHN - DIAGNOSTIC ULTRASOUND
- 381 DENTAL PROFESSIONALS BOARD CERTIFICATION BONUS
- 383 VETERINARY MEDICINE- BOARD CERTIFICATION
- 384 HIGH DESERT HEALTH ASSIGNMENT BONUS
- 385 PSYCHIATRY SPECIALTY BONUS
- 386 PHYSICIAN SPECIALTY BONUS
- 387 PHARMACIST SPECIALTY ASSIGNMENTS
- 388 SHERIFF DETENTION FACILITY ASSIGNMENT BONUS
- 389 MENTAL HEALTH PSYCHIATRIST BOARD CERTIFICATION – MORE THAN ONE SPECIALTY
- 391 COUNTY LIBRARY DIFFICULT TO RECRUIT ASSIGNMENT BONUS
- 392 LIBRARIAN BONUS
- 393 OBSTETRICS/LABOR & DELIVERY ASSIGNMENT
- 394 MEDICAL HUB CLINIC ASSIGNMENT

- 395 PHYSICIAN SPECIALTY BONUS - 5.75%
- 396 PHYSICIAN ADDITIONAL COMPENSATION
- 397 PHYSICIAN FORENSIC PATHOLOGY BONUS
- 398 HOSPITAL ADMINISTRATOR - ADDITIONAL COMPENSATION
- 400 DEPUTY COURT ADMINISTRATOR - OPINION/ADVISOR
- 401 DEPUTY MARSHALL - LEVEL I BONUS
- 402 DEPUTY MARSHALL - LEVEL II BONUS
- 403 DEPUTY MARSHALL TRAINEE
- 404 ELECTRONIC RECORDING EQUIPMENT
- 405 MARSHALL SUPERVISING BONUS
- 406 DEPUTY MARSHAL SPECIAL TRAINING - 6TH STEP
- 407 SKILL AND RESPONSIBILITY BONUS
- 408 DEPUTY CLERK III OUT OF CLASS BONUS
- 409 STENOGRAPHIC SKILLS
- 410 SUPERVISING DEPUTY CLERK
- 411 ADVISOR – COURT ADMINISTRATOR AND JUDGES
- 412 NIGHT SHIFT AND WEEKEND BONUS
- 413 DEPUTY CLERK IV – GREATER SKILLS
- 414 RECORDING EQUIPMENT – DEPUTY CLERK IV M.C.
- 415 SHERIFF DEPARTMENT ASSIGNMENT TO AERO BUREAU AVIONICS SHOP
- 416 SHERIFF DEPARTMENT WATER SYSTEM BONUS – CHIEF OPERATOR

- 417 SHERIFF DEPARTMENT WATER SYSTEM BONUS – SHIFT OPERATOR
- 418 ISD BONUS ASSIGNMENT – ENERGY MANAGEMENT SYSTEM SECTION (SEAS)
- 424 ABDMI REGISTRY CERTIFICATION BONUS
- 425 ABDMI BOARD CERTIFICATION BONUS
- 430 ASST. DIRECTOR – PUBLIC SOCIAL SERVICES
- 432 DEPUTY DISTRICT DIRECTOR TRAINEE
- 439 CUSTODY TRAINING OFFICER
- 441 CATALINA ISLAND LIVING – SHERIFF
- 445 SPECIAL ENFORCEMENT DETAIL/CANINE SERVICES DETAIL (TACTICAL DUTY)
- 450 SHERIFF OUT OF CLASS BONUS
- 453 SERGEANT-AT-ARMS BOARD OF SUPERVISOR
- 456 TRAINING OFFICER/INVESTIGATOR/K-9 BONUS
- 458 ACTING CAPACITY BONUS
- 461 SHERIFF BUSINESS MACHINE TECHNICIAN
- 464 STATE OF CALIF STRUCTURAL ENGINEER LICENSE BONUS
- 465 REHABILITATION INSPECTOR-PUBLIC WORKS
- 468 LICENSED LAND SURVEYOR BONUS
- 469 LICENSED REGISTERED TRAFFIC ENGINEER BONUS
- 470 BUSINESS LICENSE LIAISON
- 475 CERTIFICATION BONUS – LACERA
- 480 SUPERIOR COURT CLERK BONUS

481 COURT REPORTERS REALTIME CERTIFICATION  
482 JUDICIAL ASSISTANT BONUS  
483 REALTIME WRITING BONUS  
484 GEOTECHNICAL LICENSE BONUS  
485 SUP CRT EXEC OFFICER ADDITIONAL COMPENSATION  
486 PLANS EXAMINER CERTIFICATION REGISTRATION – LICENSE  
BONUS  
488 BUILDING ENGINEERING INSPECTOR BONUS  
493 SENIOR PROBATION DIRECTOR-CENTRAL JUVENILE HALL  
494 SENIOR PROB DIR-LOS PADRINOS/SAN FERNANDO JUV HALL  
495 PROBATION DIRECTOR-ADMIN RESP./FOOTHILL JUV AREA  
498 PROBATION DIRECTOR-CHALLENGER YOUTH CENTER  
501 BOARD OF RETIREMENT CASE REVIEW  
503 UNIFORM ALLOWANCE  
504 NIGHT SHIFT DIFFERENTIAL  
505 CORONER'S INQUEST REPORTER  
506 ALLOWANCE IN LIEU OF VEHICLE USE  
507 CO-GENERATION MAINTENANCE  
508 HENNINGER FLATS WATCHMAN  
509 FREEZER WORK  
510 DEPARTMENT HEAD MERIT  
511 BOARD OF SUPERVISORS PERFORMANCE LUMP SUM  
512 FIRE SUPPRESSION TRANSPORTATION TRUCK DRIVER

513 MOU LUMP SUM BONUS

514 BACKHOE OPERATOR

515 WEEKEND BONUS

516 EXPLOSIVES WORK

517 EVENING SHIFT DIFFERENTIAL

518 POWER EQUIPMENT REPAIR, SNOW CONDITIONS

519 ENGINEERING EMPLOYEES, HAZARD PAY

520 HOME CARE COMPENSATION

522 CUSTODIAN ACTING AS WATCHMAN

523 HYDROELECTRIC OPERATIONS

525 CONTRACTING & PRODUCTIVITY IMPROVE INCNTV FOR MNGR

528 WEBCOM PRESS OPERATOR

529 POWER EQUIPMENT OPERATOR, FIRE SUPPRESSION

531 STANDBY

532 ADDITIONAL RESPONSIBILITIES AND EXCEPTIONAL PERFORMANCE

533 POWER SWEEPER OPERATOR IN EMERGENCY CONDITIONS

534 POWER PLANT RELIEF ENGINEER

535 CLINIC PHYSICIAN FIRST HOUR

536 CONSULTING SPEC, MD & MNTL HEALTH CONSLT, 1<sup>st</sup> & 5<sup>th</sup>

538 RN ASSIGNED AS ACTING OR RELIEF CHARGE NURSE

539 RN WEEKEND DIFFERENTIAL

540 RELIEF NURSE HOLIDAY DIFFERENTIAL

541 RELIEF NURSE WEEKEND DIFFERENTIAL

542 EMERGENCY WORKPLACE DIFFERENTIAL

544 APPRAISERS LAUNDRY AND DRY-CLEANING ALLOWANCE

545 HEAVY DUTY TOW TRUCK DRIVER

546 SLURRY SEAL TRUCK\_DRIVER

547 COVID APPRECIATION

547HS HERO PAY – DHS

548 LIFEGUARD PARAMEDIC - RELIEF

550 INCENTIVE AWARDS FOR MEDI-CAL REIMBRMNTS/ HEALTH SR

551 GROUP INCENTIVE AWARD, TREASURER TAX COLLECTOR

552 STANDBY - EMERGENCY ROLL OUT PROGRAM

553 PIONEER EXCAVTN, TUNNEL OPERATNS, FIRE SUPP, SNOW

554 PIONEER EXCAVTN, TUNNEL OPERATNS, FIRE SUPP, SNOW

555 SCAFFOLD OR SWING STAGE, 30 FEET ABOVE GRADE

556 HIGH SCALE AND RIGGING OPERATIONS, GENERAL

557 EVENING SHIFT, MED TECH

558 NIGHT SHIFT, MED TECH

560 PHYSICIAN RECRUITMENT PROGRAM

565 PARAMEDIC RECERTIFICATION BONUS

565A PARAMEDIC RECERTIFICATION BONUS – ELIGIBILITY INDICATOR

567 DEPUTY SHERIFF RESERVE ANNUAL COMPENSATION

568 ASSESSMENT APPEALS BOARD FULL DAY

568A ASSESSMENT APPEALS BOARD EXCEEDING FULL DAY  
569 PHYSICIAN LOAN PAYMENT PROGRAM  
570 HOME CARE PROGRAM STANDBY  
571 CHILDREN'S SOCIAL WORKERS LICENSURE SUPERVISION  
572 MOU LUMP SUM BONUS  
574 STANDBY – INS WITNESS PROGRAM  
575 WASTEWATER PLANT RELIEF BONUS  
576 SOLO DAILY EARNINGS  
577 INTERPRETER HALF DAY BONUS - SUP CT  
578 ER ATTENDING PHYSICIAN - DAY RATE  
579 ER ATTENDING PHY/-WKDY EVE/WKND HOLIDAY  
580 ER ATTENDING PHY/-WKDY NITE/WKND HOLIDAY EVE NITE  
581 SWIM PROFICIENCY BONUS  
582 INTERPRETER REGULAR MULTIPLE LANGUAGE SAME DAY  
583 INTERPRETER-HOURLY/DAILY MULT LANG SAME DAY  
584 PHYSICIAN STIPENDS  
585 ISA TREE WORKER CERTIFICATION  
586 ISA CERTIFIED ARBORIST CREDENTIAL  
587 ISA CERTIFIED QUALIFIED TREE RISK ASSESSOR CREDENTIAL  
588 ISA MUNICIPAL SPECIALIST CREDENTIAL  
589 MENTAL HEALTH SPECIALITY FIELD BASED BONUS  
590 CONT EDUCATION/EQUIPMENT ALLOWANCE/TRAINING BONUS

- 591 LICENSE REIMBURSEMENT
- 600 REGISTERED NURSE MOBILE INTENSIVE CARE CERTIFICATION, SUB-ITEM D
- 602 SUPERVISING TRANSPORTATION DEPT. PERFORMING DISPATCHER DUTIES
- 603 AUTOMOTIVE SERVICE EXCELLENCE CERTIFICATE
- 604 REGISTERED NURSE MOBILE INTENSIVE CARE CERTIFICATION
- 605 CUSTODIAN FLOOR WAXING BONUS
- 606 FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTY
- 606A FIRE EQUIPMENT MECHANIC ASSIGNED FIELD REPAIR DUTY – ELIGIBILITY INDICATOR
- 607 SUPERVISING DEPUTY PROBATION OFFICER (SPDO) ASSIGNED ACTING DIRECTOR IN A CAMP
- 608 BILINGUAL BONUS
- 609 REGISTERED NURSE ASSIGNED TO EMERGENCY ROOM
- 610 ANTELOPE VALLEY FIREFIGHTING CREW
- 611 TREE TRIMMER SUPERVISOR, POWER OPERATIONS
- 612 SHOOTING BONUS, EXPERT
- 613 SHOOTING BONUS, DISTINGUISHED EXPERT
- 614 SHOOTING BONUS, MARKSMAN
- 615 SHOOTING BONUS, SHARPSHOOTER
- 616 ANTELOPE VALLEY QUARTERS, ON FIRE CALL
- 617 CLINIC NURSE ASSIGNED TO PROBATION CAMP
- 618 TRANSPORTATION BUS DRIVER, SHERIFF

619 CERTIFIED ACCESS SPECIALIST  
620 SAN GABRIEL DAM OPERATOR  
621 NURSE RETENTION INCENTIVE  
622 ADVANCED APPRAISER CERTIFICATION  
624 BILINGUAL ADDITIONAL BONUS, CHILDREN'S SOCIAL WORK  
625 AGRICULTURE INSPECTORS ASSIGNED TO STANDARDIZATION  
627 DETENTION & TRANSPORTATION EXTRA SUPERVISION BONUS  
628 BILINGUAL BONUS FOR OTHER THAN MONTHLY  
628A BILINGUAL BONUS FOR OTHER THAN MONTHLY-ELIGIBILITY  
INDICATOR  
629 MORTUARY ATTENDANT AT LAC+USCMC  
630 SERVICE PAY BONUS  
631 BILINGUAL BONUS-SUB D  
632 MENTAL HEALTH WORKERS ASSIGNED SHERIFF DETENTN FACL  
633 RN ASSIGNED TO EMERGENCY ROOM SUB D  
634 SUPERVISING DETENTION SERVICES OFFICER OF THE DAY  
635 TRANSPORTATION DEPUTY BUS DRIVER, PROBATION  
636 INCIDENTAL EXPENSE ALLOWANCE  
637 PROFESSIONAL DEVELOPMENT EXPENSES  
638 PROBATION TELECOM EQUIPMENT BONUS  
640 CHILDRENS SERVICES ERCP RETENTION  
641 SHOOTING BONUS, EXPERT – RESERVE  
642 SHOOTING BONUS, DISTINGUISHED EXPERT – RESERVE

643 SHOOTING BONUS, MARKSMAN – RESERVE  
644 SHOOTING BONUS, SHARPSHOOTER – RESERVE  
645 EMERGENCY ROOM BONUS/PAT FIN SVCS WKR/PAT RES WKR  
646 EMERGENCY ROLL OUT PROGRAM & SHIFT BONUS  
647 BILINGUAL ADDITIONAL BONUS, PSYCH SOCIAL WORK  
648 DEFIBRILLATION AIRWAY BONUS  
649 MAMMOGRAPHY BONUS  
690 CELLULAR PHONE STIPEND – VOICEMAIL  
691 CELLULAR PHONE STIPEND - DATA ONLY  
692 CELLULAR PHONE STIPEND - VOICE AND DATA  
694 CIVIC CENTER COMMUTER ALLOWANCE  
695 DEPARTMENT HEAD TRANSPORTATION ALLOWANCE  
696 DEPARTMENT HEAD TRAFFIC MITIGATION ALLOWANCE  
700 PENSIONABLE OVERTIME  
730 PREMIUM OVERTIME - SYSTEM PENSIONABLE  
PF004 MEGAFLEX PENSIONABLE CONTRIBUTION  
PF007 FLEX PENSIONABLE CONTRIBUTION  
PF010 CHOICES PENSIONABLE CONTRIBUTION  
PF013 OPTIONS PENSIONABLE CONTRIBUTION  
PK003 NON-ELECTIVE LEAVE  
PK011 SICK - 100%  
PK012 HOLIDAY

PK021	VACATION
PK030	SPECIAL PAID LEAVE
PK031	APPRAISERS LEAVE
PK032	INTERN/RESIDENT LEAVE
PK113	SICK PRE-71
PKN03	SUPERIOR COURT NON-PENSIONABLE NON-ELECTIVE LEAVE BUY BACK
PKN21	SUPERIOR COURT NON-PENSIONABLE VACATION LEAVE BUY BACK
PKP11	SICK LEAVE BUY BACK 100%
PKP21	VACATION BUY BACK
PP046	EMPLOYEE SUGGESTION
NONE	REGISTERED NURSE ASSIGNED TO CRITICAL CARE UNITS
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – PREMIUM
NONE	FIRE SUPPRESSION CAMP ASSIGNMENT – COMPENSATORY TIME EARNED
NONE	POST, SUPERVISORY BONUS
OP100	CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – HORIZONS PLAN
OP101	CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – HORIZONS PLAN
OP102	CORRECTIVE PAYMENT, REINSTATED EMPLOYEE – SAVINGS PLAN
OP103	CORRECTIVE PAYMENT, ADMINISTRATIVE ERROR – SAVINGS PLAN
TBD	CIVIC CENTER STIPEND

TBD ANTELOPE VALLEY STIPEND

TBD NEW HIRE BONUS



October 20, 2022

TO: Each Trustee  
Board of Retirement

FROM: Tamara Caldwell, Acting Manager   
Disability Retirement Services

SUBJECT: **APPEAL FOR THE BOARD OF RETIREMENT'S MEETING  
OF NOVEMBER 2, 2022**

**IT IS RECOMMENDED** that the Board of Retirement grant the appeal and request for administrative hearing received regarding the following member, and direct the Disability Retirement Services Manager to refer this case to a referee:

5270B David Diaz (Dec'd); Linda Scott, Esq. Deny SCD Survivor's Allowance  
Josephina F. Martinez  
(Surviving Spouse)

TC:kw

Memo.New  
Appeals.docx



October 19, 2022

TO: Each Trustee,  
Board of Retirement

FROM: Louis Gittens *LG*  
Interim Division Manager, Benefits

FOR: November 2, 2022 Board of Retirement Meeting

**SUBJECT: RATIFICATION OF RECIPROCAL DISABILITY RETIREMENTS**

IT IS RECOMMENDED that the Board approve the reciprocal disability retirement for the following named deferred members who were found to be disabled by the current reciprocal agency for the performance of their duties and have met the burden of proof.

**BACKGROUND**

When a member terminates from County employment and then begins employment with a public agency covered by a reciprocal retirement system, such as CalPERS, they may qualify for reciprocal benefits. When a member is granted a disability retirement with that system, CERL Section 31837 allows LACERA to approve their disability and calculate their retirement benefits accordingly.

It is therefore recommended that the Board of Retirement approve the following deferred members.

RECIPROCAL AGENCY	DEPARTM ENT	NAME	SAFETY / GENERAL MEMBER	DISABILITY TYPE	RETIREMENT DATE
CALPERS	Sheriff	Jeffrey N. Glaser	Safety	SCD	06/02/2022
CALPERS	Sheriff	Joel J. Petersen	Safety	SCD	10/31/2020
CALPERS	Sheriff	Gregg H. Kapp	Safety	SCD	12/18/2020
CALPERS	Sheriff	James R. Drabos	General	SCD	12/01/2017
CALPERS	Sheriff	Richard J. Martinez	Safety	SCD	12/31/2020
Orange County Employee Retirement Association	Sheriff	Tabetha A. Moore	Safety	NSCD	10/12/2018
San Bernardino County Employee Retirement Association	Sheriff	Sherman R. Garnett Jr	Safety	SCD	12/5/2020
San Bernardino County Employee Retirement Association	Sheriff	Donald K. Mills	Safety	SCD	4/08//2019

**FOR INFORMATION ONLY**

October 19, 2022

TO: Each Trustee  
Board of Retirement

FROM: Francis J. Boyd   
Senior Staff Counsel

FOR: November 2, 2022, Board of Retirement Meeting

**SUBJECT: AB 551 – EXTENSION OF DISABILITY RETIREMENT COVID-19 PRESUMPTION UNTIL JANUARY 1, 2024**

On September 29, 2022, AB 551 was signed into law. This bill amended Government Code section 7523.2 of the COVID-19 Presumption, extending the sunset clause for the presumption from January 1, 2023, to January 1, 2024. This means that the Board of Retirement will be able to apply the COVID-19 presumption on disability-retirement applications it decides up until January 1, 2024.

Attached for the Board's review are previous memorandums dated July 27, 2021, and November 22, 2021, explaining the application of the COVID-19 presumption.

I will keep the Board apprised of any further developments of the law, including any future amendments to the statute.

Reviewed and approved.



Steven P. Rice, Chief Counsel

Attachments

FJB: mb

**FOR INFORMATION ONLY**

July 29, 2021

TO: Each Trustee  
Board of Retirement

FROM: Francis J. Boyd   
Senior Staff Counsel

FOR: August 12, 2021, Board of Retirement Meeting

**SUBJECT: GOVERNMENT CODE SECTIONS 7523-7523.2: DISABILITY  
RETIREMENT COVID-19 PRESUMPTION**

On Friday, July 23, 2021, Government Code sections 7523-7523.2, a Disability Retirement COVID-19 Presumption, was signed into law by Governor Gavin Newsom. The law becomes **effective on January 1, 2022, and has a sunset clause of January 1, 2023**. This rebuttable presumption is applicable to select government employees who are members of a retirement system that is regulated by the California Public Employees' Pension Reform Act of 2013 (PEPRA). This would include LACERA members. A copy of the statute is attached.

The following is a summary of the COVID-19 presumption.

**1. Government Code Section 7523.1:**

Gov Code Sec. 7523.1 provides the following explanation of the COVID-19 presumption:

- (a) For purposes of a member who retires for disability on the basis, in whole or part, of a COVID-19-related illness, it shall be presumed that the disability arose out of, or in the course of, the member's employment.
- (b) The presumption described in subdivision (a) may be rebutted by evidence to the contrary, but unless controverted, the applicable governing board of a public retirement shall be bound to find in accordance with the presumption.

**2. Members eligible for the presumption:**

Government Code section 7523(b)(1) states that "*member*" means "a member of a public retirement system who meets either of the following criteria:

**a. Job classifications contained in Labor Code section 3212.87(a).**

Government Code section 7523 (b)(1)(A) provide that covered members include those in job classification described in Labor Code section 3212.87(a) or the functional equivalent. Section 3212.87(a) includes a number of job classifications for various state agencies. The following list only includes positions applicable to the County of Los Angeles.

**1) Active Firefighting Members:**

- “Active firefighting members, whether volunteers, partly paid, or fully paid, of a fire department of a city, county, city and county, district, or other public or municipal corporation or political subdivision.” (Labor Code section 3212.87 (a)(1)(A).)

**2) Peace Officers**

- **Peace Officers as defined in Penal Code section 830.1:** For the County of Los Angeles, this would include any sheriff, undersheriff, or deputy sheriff, and any inspector or investigator employed in the office of the district attorney.
- **Peace Officers as defined in Penal Code sections 830.37(a) and (b):** “Members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers is the detection and apprehension of persons who have violated any fire law or committed insurance fraud. (b) Members other than members of an arson-investigating unit, regularly paid and employed in that capacity, of a fire department or fire protection agency of a county, city, city and county, district, or the state, if the primary duty of these peace officers, when acting in that capacity, is the enforcement of laws relating to fire prevention or fire suppression.”
- **Probation Officers as defined in Penal Code section 830.5(a):** “A parole officer of the Department of Corrections and Rehabilitation, or the Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations, **probation officer, deputy probation officer**, or a board coordinating parole agent employed by the Juvenile Parole Board. . .” (Emphasis added.)

**3) Medical Providers**

- **Employees providing direct patient care as defined in Labor Code section 3212.87(a)(7):** “An employee who provides direct patient care, or a custodial employee in contact with COVID-19 patients, who works at a health facility. For

the purposes of this subdivision, 'health facility' means a health facility as defined in subdivision (a), (b), (c), (m), or (n) of Section 1250 of the Health and Safety Code."

- **Registered nurses and medical technicians as defined in Labor Code section 3212.87(a)(8):** "An authorized registered nurse, emergency medical technician-I, emergency medical technician-II, emergency medical technician-paramedic, as described in Chapter 2 (commencing with Section 1797.50) of Division 2.5 of the Health and Safety Code."
- **Home health care employees as described in Labor Code section 3212.87(a)(9):** "An employee who provides direct patient care for a home health agency, as defined under Section 1727 of the Health and Safety Code."
- **As described in Labor Code section 3212.87(a)(10), employees of health facilities who do not provide direct patient care or do not come in contact with COVID-19 patients as described in Labor Code section 3212.87(a)(10):** "Employees of health facilities, other than those described in paragraph (7). [Paragraph (7) applies to employees who provide direct patient care or a custodial employee in contact with COVID-19 patients]. For these employees, the presumption shall not apply if the employer can establish that the employee did not have contact with a health facility patient within the last 14 days who tested positive for COVID-19. If it is determined that the presumption does not apply, the claim shall be evaluated pursuant to Sections 3202.5 and 3600. [Employee carries the evidentiary burden by a preponderance of the evidence.]
- **Provider of in-home supportive services as described in Labor Code section 3212.87(a)(11):** "A provider of in-home supportive services . . . [under the Welfare and Institutions Code] when they provide the in-home supportive services outside their own home or residence."

**b. Members who test positive during an outbreak at the place of employment.**

Government Code section 7523(b)(1)(B) states the presumption also applies to members:

"Whose job classification is neither described in subdivision (a) of Section 3212.87 [of the Labor Code] nor is the functional equivalent for a job classification described in that subdivision, but who tests positive during an outbreak at the member's specific place of employment." The following definitions are provided:

- **"Specific place of employment"** means the building, store, facility, or agricultural field where an employee performs work at the employer's

direction. ‘A specific place of employment’ does not include the employee’s home or residence, unless the employee provides home health care services to another individual at the employee’s home or residence.” (Labor Code 3212.88(m)(3)(A).)

- **Multiple places of employment:** “In the case of an employee who performs work at the employer’s direction in multiple places of employment within 14 days of the employee’s positive test, the employee’s positive test shall be counted for the purpose of determining the existence of an outbreak at each of those places of employment, and if an outbreak exists at any of those places of employment, that shall be the employee’s ‘specific place of employment.’” (Labor Code 3212.88(m)(3)(B).)
- **Outbreak:** An “outbreak” exists if within 14 calendar days one of the following occurs at a specific place of employment:
  - a. “If the employer has **100 employees or fewer** at a specific place of employment, 4 employees test positive for COVID-19.” (Labor Code 3212.88(m)(4)(A).) (Emphasis added.)
  - b. “If the employer has **more than 100 employees** at a specific place of employment, 4 percent of the number of employees who reported to the specific place of employment, test positive for COVID-19.” (Labor Code 3212.88(m)(4)(B).) (Emphasis added.)
  - c. A specific place of employment is ordered to close by a local public health department, the State Department of Public Health, the Division of Occupational Safety and Health, or a school superintendent due to risk of infection with COVID-19. (Labor Code 3212.88(m)(4)(C).)

### 3. Retroactivity

As noted above, this presumption will be effective from January 1, 2022, to January 1, 2023, when it will be repealed. The bill does not contain any language regarding retroactivity, and it was not passed as urgency legislation. In California, a statute is presumed to operate prospectively. In construing statutes, there is a presumption against retroactive application unless the Legislature plainly directed otherwise by means of express language of retroactivity or other source that provide a clear and unavoidable implication that the Legislature intended retroactive application of the statute.<sup>1</sup> In addition, by law, non-urgent statutes take effect on January 1 of the following year.<sup>2</sup>

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<sup>1</sup> *Quarry v. Doe I* (2012) 53 Cal.4<sup>th</sup> 945, 955.

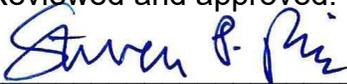
<sup>2</sup> Cal. Const., Art. IV § 8(c)(3).

However, a vested right matures when there is an unconditional right to immediate payment.<sup>3</sup> In the course of deciding when the limitations period commenced in a mandate action against a pension board, the Supreme Court noted that a duty to grant the disability pension (i.e., the reciprocal obligation to a right to immediate payment) did not arise at the time of the injury itself but when the pension board determined that the employee was no longer capable of performing his duties.<sup>4</sup> This conclusion is bolstered by a recent California Court of Appeal decision concluding that the law applicable to retirement applications is that which is in effect *on the date that the Board approves or denies the application*.<sup>5</sup>

Therefore, the Board will be able to apply the COVID-19 presumption under Government Code section 7523.2 on all relevant cases decided between January 1, 2022, through December 31, 2022, regardless of when the member contracted the COVID-19 virus.

I will keep the Board apprised of any further developments of the law, including any future amendments to the statute.

Reviewed and approved.



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Steven P. Rice, Chief Counsel

Attachment

FJB: jm

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<sup>3</sup> *In re Marriage of Mueller* (1977) 70 Cal.App.3d 66, 71; see *In re Marriage of Brown* (1976) 15 Cal.3d 838, 842.

<sup>4</sup> *Tyra v. Board of Police & Fire Pension Comm'rs.* (1948) 32 Cal.2d 666, 671-672.

<sup>5</sup> *Wilmot v. CCCERA* (2021) 60 Cal.App.5th 631, 654.

**FOR INFORMATION ONLY**

November 22, 2021

TO: Each Trustee  
Board of Retirement

FROM: Francis J. Boyd   
Senior Staff Counsel

FOR: December 1, 2021, Board of Retirement Meeting

**SUBJECT: GOVERNMENT CODE SECTION 7523: DISABILITY RETIREMENT  
COVID-19 PRESUMPTION SUNSET CLAUSE**

**INTRODUCTION**

On July 27, 2021, the Board of Retirement was provided a memorandum outlining the COVID-19 Presumption under Government Code sections 7523, 7523.1, and 7523.2. This memorandum explained that the presumption was effective from January 1, 2022, to January 1, 2023. A copy of this memorandum is attached for the Board's reference.

I have been informed that the presumption was discussed at the latest SACRS conference and that this discussion generated some confusion about whether the presumption could be applied after the January 1, 2023, repeal date. This memorandum will explain why the statute, in its current form, cannot be applied by the Board after January 1, 2023.

**DISCUSSION****A. The COVID-19 Presumption is a Statutory Right Available Under Government Code sections 7523, 7523.1, and 7523.2.**

Section 7523 describes the members who are eligible for the presumption and Section 7523.1 explains, in the following excerpt, how the presumption works:

- (a) For purposes of a member who retires for disability on the basis, in whole or in part, of a COVID-19-related illness, it shall be presumed that the disability arose out of, or in the course of, the member's employment.
- (b) The presumption described in subdivision (a) may be rebutted by evidence to the contrary, but unless controverted, the applicable governing board of a public retirement system shall be bound to find in accordance with the presumption.

Section 7523.2 contains the following sunset clause:

This article shall remain in effect *only until January 1, 2023, and as of that date is repealed.* (Italics added.)

**B. The Right to the COVID-19 Presumption Vests on the Date the Board of Retirement Issues its Final Decision on the Application.**

A vested right matures when there is an unconditional right to immediate payment.<sup>1</sup> In the course of deciding when the limitations period commenced in a mandate action against a pension board, the Supreme Court noted that a duty to grant the disability pension (i.e., the reciprocal obligation to a right to immediate payment) did not arise at the time of the injury itself but when the pension board determined that the employee was no longer capable of performing his duties.<sup>2</sup> This conclusion is bolstered by a recent California Court of Appeal decision concluding that the law applicable to retirement applications is that which is in effect *on the date that the Board approves or denies the application.*<sup>3</sup>

**C. All Unvested Rights Under a Statute Terminate When a Statute is Repealed.**

In the case of *Beverly Hilton Hotel v. Workers' Comp. Appeals Bd.*,<sup>4</sup> the court confirmed that when a pending action rests solely on a statute, and when no rights have vested under the statute, a repeal of the statute terminates all pending actions based on the statute. In *Beverly Hilton Hotel*, an employee sought vocational rehabilitation benefits under Labor Code section 139.5, which contained the following sunset clause: "This section shall remain in effect only until January 1, 2009, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2009, deletes or extends that date."

The following is a timeline of the pertinent events:

**March 2004:** Employee requested vocational rehabilitation benefits under Labor Code section 139.5, and the Hotel denied the request.

**July 2006:** The Rehabilitation Unit determined that the employee was entitled to vocational rehabilitation benefits under the statute. Hotel appealed to the Workers' Compensation Judge (WCJ).

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<sup>1</sup> *In re Marriage of Mueller* (1977) 70 Cal.App.3d 66, 71; see *In re Marriage of Brown* (1976) 15 Cal.3d 838, 842.

<sup>2</sup> *Tyra v. Board of Police & Fire Pension Comm'rs.* (1948) 32 Cal.2d 666, 671-672.

<sup>3</sup> *Wilmot v. CCCERA* (2021) 60 Cal.App.5th 631, 654.

<sup>4</sup> *Beverly Hilton Hotel v. Workers' Comp. Appeals Bd.* (2009) 176 Cal.App.4th 1597, 1604.

**January 31, 2008:** WCJ found that the employee was presumptively eligible for rehabilitation services as of July 27, 1997. Hotel filed a petition for reconsideration of the WCJ's decision.

**October 2008:** Workers' Compensation Appeal Board (WCAB) affirmed the WCJ's January 31, 2008, decision.

**November 2008:** Hotel filed a petition for review in the Court of Appeal.

**January 1, 2009:** Labor Code section 139.5 was repealed under the statute's sunset clause.

**August 26, 2009:** The Court of Appeal Issued its decision and provided the following analysis:

[W]hen a pending action rests solely on a statutory basis, and when no rights have vested under the statute, 'a repeal of such a statute without a saving clause will terminate all pending actions based thereon.'" (*Governing Board v. Mann* (1977) 18 Cal.3d 819, 829 [135 Cal. Rptr. 526, 558 P.2d 1] (*Mann*).) ""If final relief has not been granted before the repeal goes into effect it cannot be granted afterwards, even if a judgment has been entered and the cause is pending on appeal. The reviewing court must dispose of the case under the law in force when its decision is rendered."" (*Id.* at p. 831; see *Southern Service Co., Ltd. v. Los Angeles* (1940) 15 Cal.2d 1, 11–12 [97 P.2d 963]; *Krause v. Rarity* (1930) 210 Cal. 644, 653 [293 P. 62] ["a repeal of the statute conferring the right, prior to final judgment, would abolish the right and place the parties in the same position as if the statute never existed"]; *Napa State Hospital v. Flaherty* (1901) 134 Cal. 315, 317 [66 P. 322] ["It is a rule of almost universal application, that, where a right is created solely by a statute, and is dependent upon the statute alone, and such right is still inchoate, [\*\*\*9] and not reduced to possession, or perfected by final judgment, the repeal of the statute destroys the remedy, unless the repealing statute contains a saving clause."].)

The *Beverly Hilton Hotel* court determined that the employee had no rights to vocational rehabilitation benefits under Labor Code section 139.5 because his rights to the benefit had not vested before January 1, 2009—no final decision regarding eligibility was reached before this date. The court concluded that neither it nor the Board had jurisdiction to award benefits under the statute.

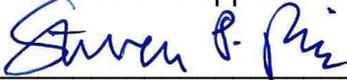
## CONCLUSION

### **The Board of Retirement Cannot Apply the COVID-19 Presumption to any Applications Decided After January 1, 2023.**

Like the statute addressed in the *Beverly Hilton Hotel* decision, the COVID-19 Presumption is a statutory right which contains a sunset clause under Government Code section 7523.2 which repeals the law as of January 1, 2023. Unless the statute is amended by the Legislature prior to this date there will be no statutory right for the Board to apply the presumption to applications decided after January 1, 2023.

I will keep the Board apprised of any further developments of the law, including any future amendments to the statute.

Reviewed and approved.



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Steven P. Rice, Chief Counsel

Attachment

FJB: jm

# 2021 Cal AB 845

Chaptered, July 23, 2021

## Reporter

2021 Cal ALS 122 | 2021 Cal AB 845 | 2021 Cal Stats. ch. 122

**CALIFORNIA ADVANCE LEGISLATIVE SERVICE > 2021 Regular Session > CHAPTER 122 > Assembly Bill No. 845**

## Digest

### LEGISLATIVE COUNSEL'S DIGEST

AB 845, Rodriguez. Disability retirement: COVID-19: presumption.

Existing law, until 2023, defines "injury" for purposes of workers' compensation insurance to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, and creates a disputable presumption, as specified, that the injury arose out of the course of employment and is compensable. This presumption is applicable to specified public safety, firefighter, and medical occupation, among others, as specified.

Existing law prescribes various requirements for the organization and administration of public retirement systems, which typically provide pension, disability, and death benefits to their members. These systems are governed by their boards of administration, to which the California Constitution grants the sole and exclusive responsibility to administer the system in a manner that will ensure prompt delivery of benefits and related services.

Existing law provides that participants in certain membership categories may be entitled to special benefits if death or disability arises in the course of employment. The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with that act and establishes, among other things, limits on defined benefit formulas and caps on pensionable compensation.

This bill, until January 1, 2023, would create a presumption, applicable to the retirement systems that PEPRA regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a COVID-19-related illness. In this circumstance, the bill would require that it be presumed the disability arose out of, or in the course of, the member's employment. The bill would authorize the presumption to be rebutted by evidence to the contrary, but unless

controverted, the applicable governing board of a public retirement system would be required to find in accordance with the presumption. The bill would apply this presumption to members employed in specified firefighter, public safety officer, and health care job classifications, or their functional equivalents, and to members in other job classifications who test positive for COVID-19 during an outbreak of the disease at their places of employment, as defined.

## Synopsis

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An act to add and repeal Article 5 (commencing with [Section 7523](#)) of Chapter 21 of Division 7 of Title 1 of the Government Code, relating to retirement.

[Approved by Governor July 23, 2021. Filed with Secretary of State July 23, 2021.]

## Text

*The people of the State of California do enact as follows:*

**SECTION 1.** Article 5 (commencing with Section 7523) is added to Chapter 21 of Division 7 of Title 1 of the Government Code, to read:

- **Article 5. COVID-19 Disability Retirement Presumption**
  - **7523.**
    - For purposes of this article:
      - **(a)** “COVID-19” means the 2019 novel coronavirus disease.
      - **(b)**
        - **(1)** “Member” means a member of a public retirement system who meets either of the following:
          - **(A)** Whose job classification is either described in subdivision (a) of [Section 3212.87 of the Labor Code](#) or is the functional equivalent of a job classification described in that subdivision.
          - **(B)** Whose job classification is neither described in subdivision (a) of Section 3212.87 nor is the functional equivalent of a job classification described in that subdivision, but who tests positive during an outbreak at the member’s specific place of employment. The definitions set forth in subdivision (m) of [Section 3212.88 of the Labor Code](#) shall apply to this subparagraph.

- **(2)** Paragraph (1) shall only apply to a member of a public retirement system, as defined pursuant to subdivision (c).
  - **(c)** “Public retirement system” means any public employee retirement system that is subject to the California Public Employees’ Pension Reform Act of 2013 (Article 4 (commencing with Section 7522)).
- **7523.1.**
  - **(a)** For purposes of a member who retires for disability on the basis, in whole or in part, of a COVID-19-related illness, it shall be presumed that the disability arose out of, or in the course of, the member’s employment.
  - **(b)** The presumption described in subdivision (a) may be rebutted by evidence to the contrary, but unless controverted, the applicable governing board of a public retirement system shall be bound to find in accordance with the presumption.
- **7523.2.**
  - This article shall remain in effect only until January 1, 2023, and as of that date is repealed.

## History

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Filed with Secretary of State July 23, 2021

Approved by the Governor July 23, 2021

Effective date: January 1, 2022

## Sponsor

Rodriguez

**FOR INFORMATION ONLY**

October 17, 2022

TO: Each Trustee  
Board of RetirementFROM: Tamara Caldwell, Acting Manager   
Disability Retirement Services

FOR: November 2, 2022, 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 2, 2022, Disability Retirement Applications Agenda.

<b>Consent &amp; Non-Consent Calendar</b>	
Number of Applications	53
Average Processing Time (in Months)	14.19
<b>Revised/Held Over Calendar</b>	
Number of Applications	1
Processing Time Per Case (in Months)	Case 1 21
<b>Total Average Processing Time All <u>54</u> Cases on Agenda</b>	
	14.31

# DISABILITY RETIREMENT SERVICES

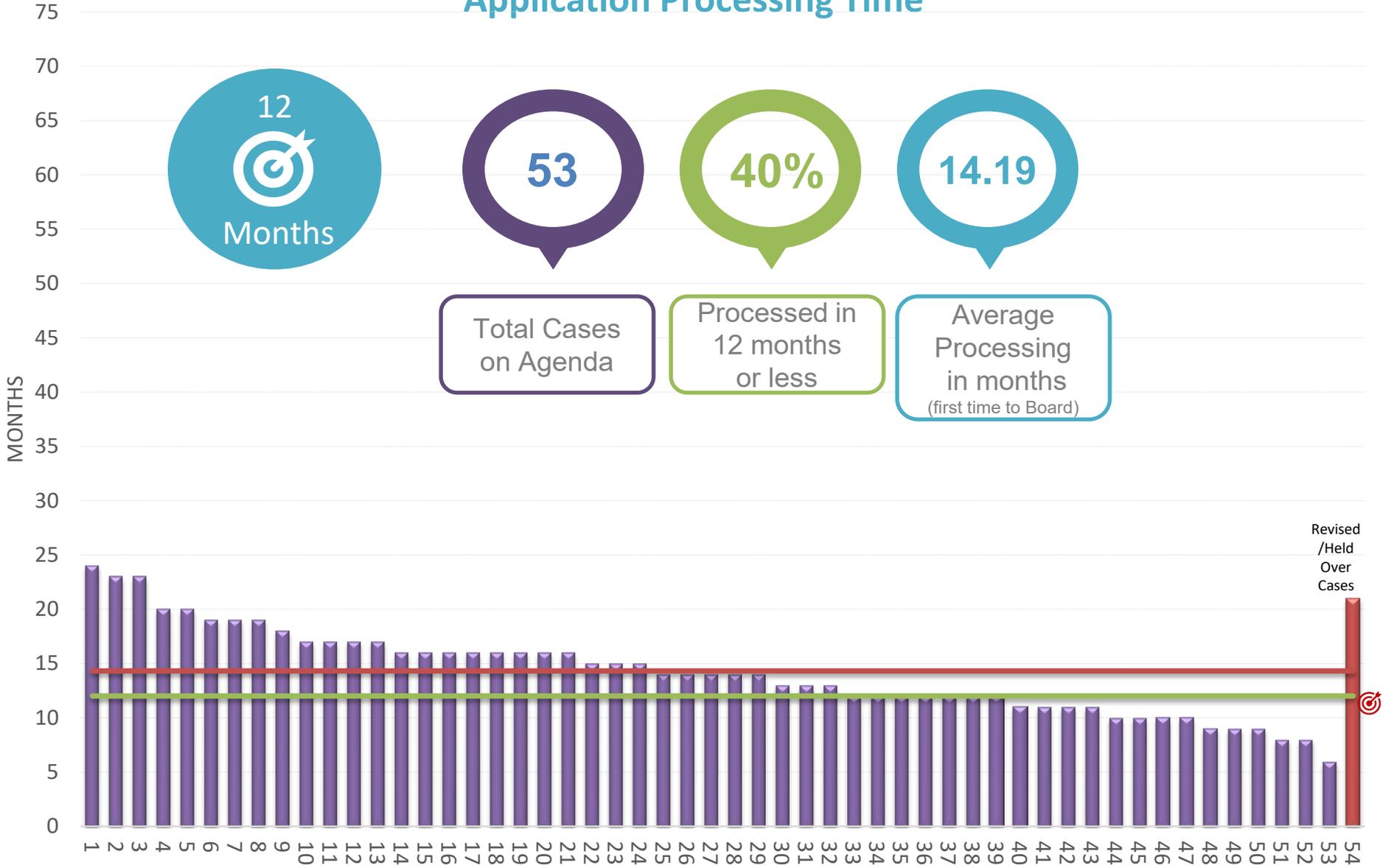
## Application Processing Time



Total Cases  
on Agenda

Processed in  
12 months  
or less

Average  
Processing  
in months  
(first time to Board)

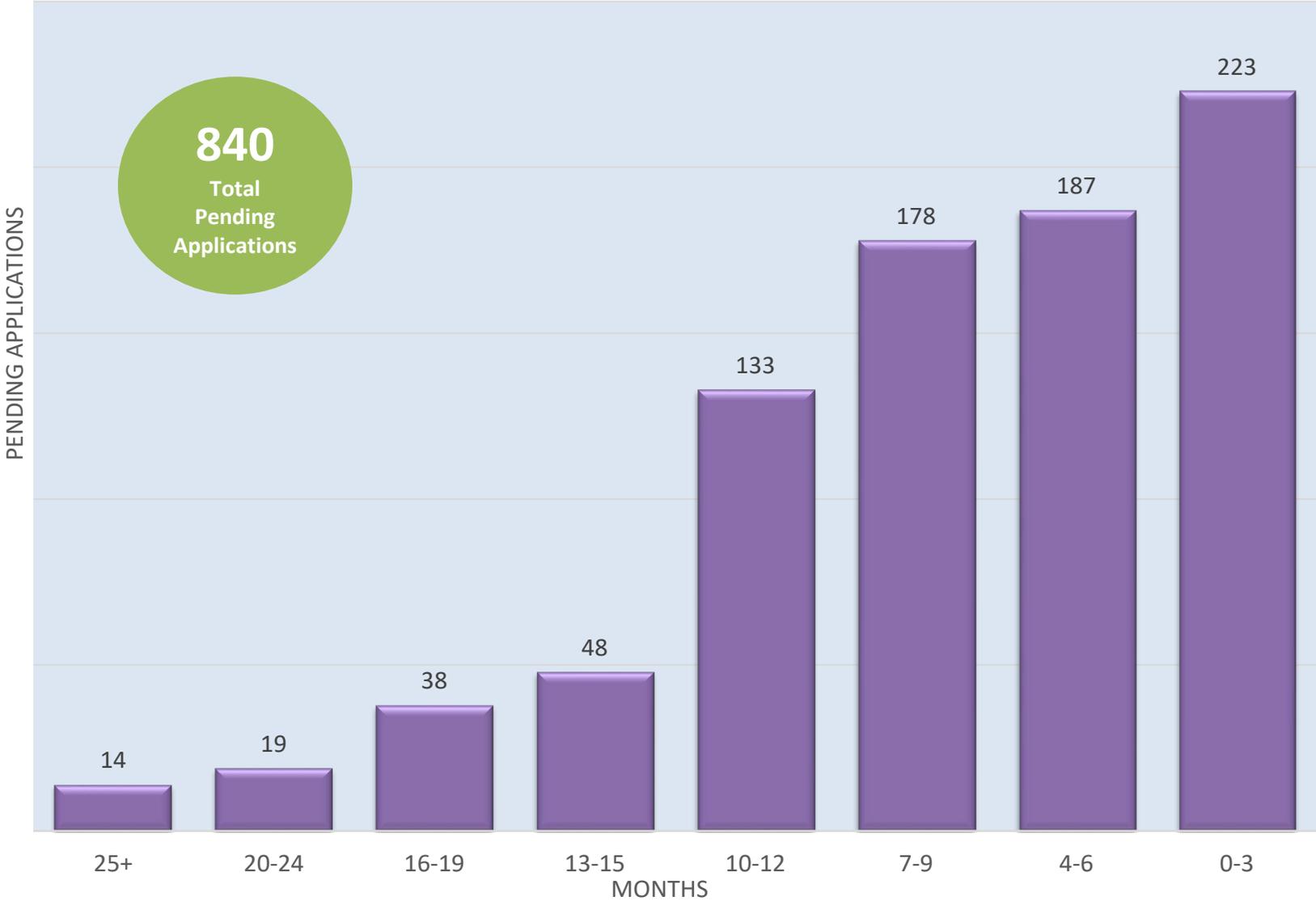


Revised  
/Held  
Over  
Cases

November 2, 2022 Disability Agenda

# DISABILITY RETIREMENT SERVICES

## Pending Applications/Months



As of October 17, 2022

**FOR INFORMATION ONLY**

October 14, 2022

TO: Each Trustee  
Board of Retirement

FROM: James Beasley – Administrative Services   
Supervising Administrative Assistant I

FOR: November 2, 2022 Operations Oversight Committee Meeting

**SUBJECT: FIDUCIARY LIABILITY, CYBER LIABILITY, AND CRIME PREVENTION  
INSURANCE RENEWAL UPDATE**

**EXECUTIVE SUMMARY**

At the September 7, 2022 Board of Retirement (BOR) meeting, staff provided the Trustees with an overview of the current insurance marketplace and discussed the challenges with purchasing Fiduciary Liability, Cyber Liability, and Crime Protection Insurance for LACERA due to the hard insurance market (hard market). Staff explained that the insurance carriers were reluctant to provide quotes outside of a 30-day window from the policy expiration date. This limitation made it difficult for LACERA's Insurance Broker, Alliant Insurance Services Inc. (Alliant), to provide firm quotes within this timeframe and still provide this information to LACERA staff and Trustees for review and approval. The Board voted to approve the delegation of authority to the Chief Executive Officer or their designee to approve all insurance renewals going forward, with prompt notice thereafter to the Board.

Initially, Alliant was only able to provide LACERA with preliminary premium indications for each line of coverage. Staff presented these preliminary figures to the BOR, and the Board approved the purchase of Fiduciary Liability and Cyber Liability Insurance if the cost did not exceed this estimated premium. After the BOR meeting, Alliant continued its efforts and successfully acquired firm, competitive quotes from various underwriters.

Alliant presented this final insurance proposal package to the Insurance Selection Team (Team). The Team conducted a complete analysis of the proposal and selected the provider for each line of coverage. The quotes provided to LACERA for these lines of insurance represent a 1% decrease in the total annual premium compared to last fiscal year's renewal.

**2022-23 Fiduciary/Cyber/Crime Renewal Final Cost Breakdown**

Coverage	Carrier	Limit	Premium
Fiduciary Liability	Hudson Insurance Company	\$20M	\$253,265
	Westchester Fire Insurance Company	\$10M	\$106,058
	RLI Insurance Company	\$5M	\$37,400
		Total:	\$396,723
		Estimate to BOR:	\$408,890
		Difference:	\$12,167

Coverage	Carrier	Limit	Premium
Cyber Liability	Tokio Marine	\$5M	\$129,264
	Homeland Insurance Company	\$5M	\$103,250
	Ambridge	\$5M	\$84,149
	Corvus Insurance	\$5M	\$82,801
		Total:	\$399,464
		Estimate to BOR:	\$622,774
		Difference:	\$223,310

Coverage	Carrier	Limit	Premium
Fiduciary Liability OPEB *	Hudson Insurance Company	\$10M	\$52,189
		Total:	\$52,189
		Estimate to BOR:	\$64,012
		Difference:	\$11,823

Coverage	Carrier	Limit	Premium
Crime Protection *	Great American Insurance	\$10M	\$21,786
		Total:	\$21,786
		Estimate to BOR:	\$25,630
		Difference:	\$3,844

\* Although discussed, Board approval was not sought for the Crime Protection and Other Post-Employment Benefits (OPEB) Fiduciary Liability coverage, since the premiums for these Policies were within the CEO's approval authority.

**Fiduciary/Cyber/Crime Premium Comparison Chart**

Coverage Type	2022-23 Limits	2021-22 Premium	2022-23 Premium	Variance Over/(Under)	2022-23 Budget	Budget Over/(Under)
Fiduciary Liability	\$35M	\$324,126	\$396,723	\$72,597	\$372,800	\$23,923
Cyber Liability	\$20M	\$484,132	\$399,464	(\$84,668)	\$552,000	(\$152,536)
Fiduciary OPEB	\$10M	\$49,420	\$52,189	\$2,769	\$46,700	\$5,489
Crime Protection	\$10M	\$23,630	\$21,786	(\$1,844)	\$26,000	(\$4,214)
<b>Total:</b>		<b>\$881,308</b>	<b>\$870,162</b>	<b>(\$11,146)</b>	<b>\$997,500</b>	<b>(\$127,338)</b>

**FIDUCIARY LIABILITY INSURANCE - LACERA Trust Fund**

Fiduciary Liability Insurance is targeted at protecting LACERA’s assets against fiduciarily-related claims of mismanagement of the Retirement Plan. The policy covers legal expenses for defending claims made against LACERA, as well as the financial losses the Retirement Plan may have incurred due to errors and omissions, or breach of fiduciary duty.

LACERA maintains \$35 million in coverage to protect the Trust Fund from liability due to a claim of breach of fiduciary duty. The highest limit that the Fiduciary Insurance carriers are willing to underwrite is \$20 million; therefore, LACERA is required to obtain the coverage in multiple layers, \$20 million (first layer), \$15 million excess (second layer), and \$5 million (third layer), to reach the desired coverage of \$35 million.

Hudson Insurance Company (Hudson), LACERA’s current Fiduciary Insurance carrier, has agreed to underwrite the \$20 million Policy with a premium of \$253,265, and Westchester Fire Insurance Company and RLI Insurance Company to underwrite the excess \$15 million and \$10 million Policy with a total premium of \$143,458. There is a 22% increase from last year’s premiums due to the insurance market change and the significant increase in the Trust Fund value; Hudson felt that this was a risk and reduced the line coverage from \$25 million to \$20 million. This change required LACERA to add an additional \$5 million layer to the fiduciary liability program.

As a result, the cost of the Fiduciary Liability Insurance will exceed the Fiscal Year 2022-2023 budgeted amount by \$23,923.

## **CYBER LIABILITY**

Like all organizations, LACERA faces daily cyber and privacy breach threats. These threats include but are not limited to malicious or negligent insiders, criminal hackers, third-party compromise, and ransomware attacks. Although each breach has its own set of unique factors, the financial impact is consistent across the board. Depending on the severity of the breach, the breach may be a financial burden to the organization. To mitigate this risk, LACERA maintains \$20 million in Cyber Liability coverage. The impact on the organization may be:

- Information loss
- Business disruption
- Financial loss
- Equipment damages
- Defense cost
- Goodwill to Members

Alliant reached out to various insurance carriers to obtain quotes for Cyber Liability Insurance coverage. Several of the carriers declined to provide quotes and a few carriers did not respond due to time constraints or other business reasons.

Tokio Marine (Tokio), LACERA's current Cyber Liability Insurance carrier, has agreed to underwrite the primary \$5 million Policy with a premium of \$129,264, and Homeland Insurance Company, Ambridge, and Corvus Insurance agreed to underwrite the remaining excess \$5 million policies with a total premium of \$270,200. This cost is 20% less than last year because LACERA has implemented improved controls to mitigate these risks.

## **ADDITIONAL INSURANCE PROTECTION**

In addition to the Fiduciary Liability (LACERA Trust) and Cyber Liability Insurance, the OPEB Fiduciary Liability and Crime Protection were also renewed. According to LACERA's Policy for Purchasing Goods and Services (Purchasing Policy), Board approval is not sought for the Crime Protection and OPEB Fiduciary Liability coverage, since the premiums for these Policies are within the CEO's approval authority. A summary of each line of coverage is provided to ensure transparency and fairness within the insurance program and the renewal process.

## **FIDUCIARY LIABILITY – OPEB**

LACERA purchases Fiduciary Insurance to provide coverage for the OPEB Trust Funds, which are combined into one Insurance Policy. The OPEB Fiduciary Insurance program consists of the following Trust Funds:

- County OPEB Trust
- Superior Court OPEB Trust
- Master OPEB Trust

The annual premium for a \$10 million policy with Hudson Insurance Company is \$52,189, a slight increase in premium over the current expiring rate of \$49,420.

## **CRIME PROTECTION INSURANCE**

The Crime Protection Insurance covers cash, assets, merchandise, or other property loss when someone perpetrates fraud, embezzlement, forgery, misrepresentation, robbery, theft, or any other type of business-related crime on the organization. The Crime Protection Insurance market remains stable even though social engineering fraud continues to be a growing issue for insurance carriers, which may lead to future premium increases and new policy language.

Great American Insurance Group is the only carrier approached willing to offer a \$50,000 deductible. Due to the size of the risk, all other carriers require a minimum \$100K deductible, and they were not as competitively priced as Great American. The premium rate with the incumbent carrier (Great American Insurance Group) is \$21,795 for a \$10 million policy limit.

## **INSURANCE PROGRAM RENEWAL DATE REALIGNMENT**

For over 20 years, LACERA's insurance program has been separated into two different annual renewal periods; June 30<sup>th</sup> and October 9<sup>th</sup>. The separation occurred when LACERA first added Fiduciary Liability Insurance to the program. At that time, it was decided that this insurance was important to have immediately (October 9<sup>th</sup>) and that it should not wait until the June 30<sup>th</sup> renewal period. Eventually, the Crime Prevention and Cyber Liability policies were added to this same renewal date.

Having split renewal dates is inefficient and costly to LACERA. The Risk Management Team and Alliant worked together to realign the insurance program to encompass one

annual renewal period instead of two. The goal is to have all the insurance policies expire at the fiscal year-end, June 30<sup>th</sup>. This will reduce the need for Trustees and staff to review the proposed renewals but only once per year and will align our insurance coverage with our fiscal year, which helps with budget development and control.

The insurance carriers annualize premium quotes in their system, so they are unable to provide quotes for terms less than 12 months for Fiduciary Liability, Crime Prevention, and Cyber Liability coverage at this time. However, when the carriers bind and invoice for the coverage, they will do so with the shortened term required by LACERA to align the insurance program renewal dates. LACERA will be invoiced based on the adjusted term, pro-rated, and will not be charged for the full estimated 12-month premium as presented in this memo.

#### **FISCAL IMPACT**

The overall cost in premiums for the Fiduciary Liability, Cyber Liability, and Crime Protection Insurance Programs for the FY 2022-23 is \$870,162. This is a 1% decrease from FY 2021-22. The premiums for the renewal of these policies are \$127,338 under budget for FY 2022-23.

Noted and Reviewed:



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Laura Guglielmo  
Assistant Executive Officer

**FOR INFORMATION ONLY**

October 19, 2022

TO: Each Trustee  
Board of Retirement  
Board of Investments

FROM: Ted Granger   
Interim Chief Financial Officer

FOR: November 2, 2022 Board of Retirement Meeting  
November 9, 2022 Board of Investments Meeting

SUBJECT: **MONTHLY TRAVEL & EDUCATION REPORT – SEPTEMBER 2022**

Attached for your review is the Trustee Travel & Education Report. This report includes all events (i.e., attended and canceled) from the beginning of the fiscal year through September 2022. Staff travel and education has been omitted from this document and reported to the Chief Executive Officer separately.

REVIEWED AND APPROVED:



\_\_\_\_\_  
Santos H. Kreimann  
Chief Executive Officer

TG/EW/wg

**Attachments**

c: L. Lugo  
J. Popowich  
L. Guglielmo  
J. Grabel  
S. Rice  
R. Van Nortrick

**TRUSTEE TRAVEL AND EDUCATION REPORT  
FOR FISCAL YEAR 2022 - 2023  
SEPTEMBER 2022**

Attendee	Purpose of Travel - Location	Event Dates	Travel Status
<b>Alan Bernstein</b>			
A	1 Edu - CII Fall 2022 Conference - Boston MA	09/21/2022 - 09/23/2022	Attended
V	- Edu - NACD: The Theranos Implosion - VIRTUAL	09/28/2022 - 09/28/2022	Attended
<b>Elizabeth Ginsberg</b>			
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
<b>Vivian Gray</b>			
A	1 Edu - CII Fall 2022 Conference - Boston MA	09/21/2022 - 09/23/2022	Attended
B	- Edu - NCPERS 2022 Public Pension Funding Forum - Los Angeles CA	08/21/2022 - 08/23/2022	Attended
	- Admin - SACRS Board of Directors Meeting - Los Angeles CA	08/22/2022 - 08/22/2022	Attended
	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
	- Admin - SACRS Program Committee & Board of Directors Meeting - Santa Barbara CA	09/26/2022 - 09/27/2022	Attended
X	- Edu - TLF Annual Convening 2022 - Cambridge MA	07/18/2022 - 07/20/2022	Canceled
<b>David Green</b>			
A	1 Edu - PPI 2022 Summer Roundtable - Canada, Vancouver	07/13/2022 - 07/15/2022	Attended
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
<b>Patrick Jones</b>			
A	1 Edu - Leading in Artificial Intelligence: Exploring Technology and Policy - Harvard Kennedy School - Cambridge MA	07/17/2022 - 07/22/2022	Attended
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
<b>Onyx Jones</b>			
A	1 Edu - SACRS Public Pension Investment Management Program - San Francisco CA	07/17/2022 - 07/20/2022	Attended
	2 Edu - 2022 CALAPRS Principles of Pension Governance for Trustees - Tiburon CA	08/29/2022 - 09/01/2022	Attended
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
V	- Edu - The World to Africa Webinar - VIRTUAL	07/27/2022 - 07/27/2022	Attended
<b>Shawn Kehoe</b>			
V	- Edu - 2022 Board of Investments Offsite - VIRTUAL	09/13/2022 - 09/14/2022	Attended
<b>Joseph Kelly</b>			
V	- Edu - NACD Conflict, Climate, Cyber: What's Next? - VIRTUAL	08/23/2022 - 08/23/2022	Attended
	- Edu - 2022 Board of Investments Offsite - VIRTUAL	09/13/2022 - 09/14/2022	Attended
	- Edu - NACD Risk Mitigation Through Board Quality and Compliance Committees: Lessons from Theranos - VIRTUAL	09/28/2022 - 09/28/2022	Attended
<b>Keith Knox</b>			
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended

**TRUSTEE TRAVEL AND EDUCATION REPORT  
FOR FISCAL YEAR 2022 - 2023  
SEPTEMBER 2022**

<b>Attendee</b>	<b>Purpose of Travel - Location</b>	<b>Event Dates</b>	<b>Travel Status</b>
<b>William Pryor</b>			
B	- Edu - NCPERS 2022 Public Pension Funding Forum - Los Angeles CA	08/21/2022 - 08/23/2022	Attended
<b>Gina Sanchez</b>			
B	- Edu - NCPERS 2022 Public Pension Funding Forum - Los Angeles CA	08/21/2022 - 08/23/2022	Attended
	- Edu - 2022 Fall Editorial Advisory Board Meeting – Institutional Real Estate Americas - Pasadena CA	09/06/2022 - 09/08/2022	Attended
	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	Attended
<b>Herman Santos</b>			
A	1 Edu - PPI 2022 Summer Roundtable - Canada, Vancouver	07/13/2022 - 07/15/2022	Attended
	2 Edu - CII Fall 2022 Conference - Boston MA	09/21/2022 - 09/23/2022	Attended
	3 Edu - 2022 AAAIM Elevate National Conference - New York NY	09/28/2022 - 09/30/2022	Attended
B	- Edu - 2022 Board of Investments Offsite - Long Beach CA	09/13/2022 - 09/14/2022	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 per Trustee Travel Policy; Section III.A

C - Second of two conferences and/or meetings counted as one conference per Trustee Education Policy Section IV.C2 and Trustee Travel Policy Section IV.

V – Virtual Event

X - Canceled events for which expenses have been incurred.

Z - Trip was Canceled - Balance of \$0.00



**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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