

**KENTFIELD SCHOOL DISTRICT
RESOLUTION #5
2020-2021**

**180-Day Wait Period Exception and Appointment of Extra Duty Retired
Annuitant**

Whereas, in compliance with Government Code section 7522.56 of the Public Employees' Retirement Law ("PERL"), the Board of Trustees ("Board") of the Kentfield School District (District) must provide CALPERS this certification resolution when hiring a retiree before 180 days has passed since her retirement date; and

Whereas, in compliance with CalPERS Circular Letter 200-015-20, the District has notified the Director of the California Department of Human Resources regarding the employment of a retired annuitant who is hired to ensure adequate staffing during the state of emergency due to the COVID-19 pandemic and subject to the waivers set forth in Executive Order N-25-20 that apply during the state of the emergency; and

Whereas, Maureen Moulton ("Retiree") retired from the District in the position of Executive Assistant, effective December 30, 2020; and

Whereas, pursuant to California Government Code section 21221(h) and 21224, a retired person may serve without reinstatement from retirement or loss of interruption of benefits provided by CalPERS either during and emergency to prevent stoppage of public business or because the retired person has specialized skills needed in performing work of limited duration; and

Whereas, Government Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is May 1, 2021 without this certification resolution; and

Whereas, Government Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

Whereas, the Board, the District and Retiree certify that Retiree has not and will not receive a Golden Handshake or any other retirement-related incentive; and

Whereas, the Board hereby appoints Retiree as an extra help retired annuitant to perform the duties of the extra help retired annuitant position for the District under Government Code section 21224, effective January 1, 2021; and

Whereas, on March 4, 2020, Governor Gavin Newsom declared a statewide state of emergency due to the COVID-19 pandemic, and Governor Newsom issued Executive Order N-25-20 to further enhance California's ability to respond to COVID-19; and

Whereas, consistent with applicable federal law, and to ensure adequate state staffing to expedite emergency response and recovery, Executive Order N-25-20 suspends reinstatement and the retired annuitant work hour limitation of 960 hours per fiscal year from the date the state of emergency was declared; and

Whereas, retiree's work in the extra help retired annuitant position is required to ensure adequate staffing during the state of emergency, and thus, pursuant to Executive Order N-25-20, any hours worked by Retiree during the state of emergency will not be counted toward the 960-hour limit for the fiscal year; and

Whereas, the compensation paid to Retiree cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.3333 to equal the hourly rate; and

Whereas, the hourly rate paid to Retiree will be \$47.26/hour; and

Whereas, Retiree has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay; and

Therefore, the Board hereby certifies the nature of the employment of Retiree as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed extra help retired annuitant position for the District by January 1, 2021 because of Retiree's specialized skills to perform the extra help duties, including but not limited to payroll, benefits, credential monitoring, and other special projects and time-sensitive matters in the Business Department as needed and assigned by the Superintendent.

PASSED AND ADOPTED at a regular meeting of the governing body on this 8th day of December 2020 by the following vote, to wit:

AYES: 5

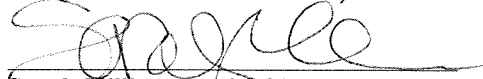
NOES: 0

ABSENT: 0

ABSTAIN: 0



Heather McPhail Sridharan, School Board President



Sarah Killingsworth, Clerk

Dec. 23, 2020

Date