

## CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. \_\_\_\_\_ File No. \_\_\_\_\_

Ord No. \_\_\_\_\_

**Agenda Item No.: 4**

**Date: February 13, 2013**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Sheryl Bennett, Human Resources Director  
Matilda Hlawek, Assistant Director of Human Resources

**SUBJECT:** Adopt Resolution No. 2013-13 Designating Human Resources Director to Make Disability Retirement Applications On Behalf Of City Employees

**RECOMMENDATION:**

It is recommended that Council adopt Resolution No. 2013-13 designating the Human Resources Director to make applications on behalf of city employees for disability retirement, including industrial and non-industrial disabilities.

**BACKGROUND:**

Retirement for disability is available to employees (safety and non-safety) who are unable to perform the usual duties of their position resulting from mental or physical incapacity. Often, an employee will begin the retirement application process with the California Public Employees' Retirement System (CalPERS). However, some circumstances warrant the City to initiate an application with CalPERS on behalf of the employee.

CalPERS requires an employee, or someone on the employee's behalf, to submit an application for disability retirement as soon as it is believed that the employee is unable to perform the job because of an illness or injury, which is expected to be permanent or last longer than six months. The California Public Employees' Retirement Law permits the governing board of a contracting agency, or an official designated by the governing board, to make the application for disability retirement on behalf of city employees under Government Code Section 21152(c).

Resolution No. 2013-13 designates the Human Resources Director to initiate disability applications on behalf of city employees and to initiate requests for reinstatement of such employees who are already retired for disability. The adoption of this Resolution does not affect the City Council's duty under the law to make industrial disability determinations for public safety employees. Rather, it allows the Human Resources Director to initiate the disability retirement process in a timely manner on behalf of city employees who are unable to perform their job duties due to an illness or injury.

DISABILITY RETIREMENT APPLICATION

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Staff recommends the City Council adopt Resolution No. 2013-13 to be effective February 13, 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sheryl Bennett', with a large, stylized flourish extending to the right.

Sheryl Bennett  
Director of Human Resources

RESOLUTION NO. 2013-13

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF ESCONDIDO, CALIFORNIA,  
DESIGNATING THE HUMAN RESOURCES  
DIRECTOR TO MAKE APPLICATIONS ON  
BEHALF OF CITY EMPLOYEES FOR  
DISABILITY RETIREMENTS FROM CALPERS

WHEREAS, the City of Escondido is a contracting agency of the California Public Employees' Retirement System (CalPERS); and

WHEREAS, the California Public Employees' Retirement Law permits the governing body of a contracting agency, or a designated official, to make disability retirement applications on behalf of city employees under Section 21152(c) of the Government Code; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, as follows:

1. That the above recitations are true.
2. That the City of Escondido hereby designates the Human Resources Director to make applications on behalf of the City Council of the City of Escondido, California, for disability retirement of city employees and to initiate requests for reinstatement of such employees who are retired for disability.