



# COUNTY OF HUMBOLDT

For the meeting of: 3/1/2022

---

File #: 22-222

---

**To:** Board of Supervisors

**From:** Human Resources

**Agenda Section:** Consent

**SUBJECT:**

Delegation of Authority for Disability Retirement.

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Adopt Resolution No. \_\_\_\_\_, delegating authority for Safety Officer Disability Retirements to include the county's Human Resources Director, Interim Human Resources Director, or their designee, pursuant of California Government Code section 21173.

**SOURCE OF FUNDING:**

General Fund (1100)

**DISCUSSION:**

The county is a contracting agency of the California Public Employees' Retirement System (CalPERS). In turn, the Public Employees' Retirement Law (California Government Code section 20000 *et seq.*) requires that the county, as the contracting agency, make determinations as to whether an employee who is classified as a local safety member is disabled for purposes of the Public Employees' Retirement Law and whether such disability is "industrial" within the meaning of such law.

Pursuant to California Government Code section 21152 (c), applications for disability retirements are required to be submitted by the governing body or an official designated by the governing body. Under Government Code section 21154, the County is responsible for determining as to whether a safety member has been incapacitated due to performance of duty. Further, pursuant to California Government Code section 21157, your Board or your delegate has 6 months from the time they receive notice from CalPERS that a disability application has been filed to make their determination.

The Board of Supervisors previously delegated authority to the Director of Human Resources on Oct. 10, 2017, to make applications and determinations regarding whether county employees who are local safety members of CalPERS are entitled to a disability retirement.

Before your Board today is a resolution that will delegate that authority to include the Director of Human Resources, Interim Director of Human Resources, or their designee to make the disability applications and determinations. Currently, the county does not have a Director of Human Resources and therefore, no one is authorized to make disability applications and determinations. The Human Resources Department collaboratively handles other employee inquiries regarding CalPERS. Today's recommendation would provide a central point for retirement services and/or information.

FINANCIAL IMPACT:

There is no immediate financial impact associated with changing the delegation of authority. However, delegating authority allows the county to make determinations more quickly, particularly as it relates to disability retirement.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services.

OTHER AGENCY INVOLVEMENT:

California Public Employees' Retirement System (CalPERS).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The board could choose not to approve this recommendation. However, this is not recommended as there is currently no one authorized to make disability retirement applications and determinations.

ATTACHMENTS:

Attachment 1: Resolution No. \_\_\_\_ Delegation of Authority for Safety Officer Disability Retirements to Include the Director of Human Resources, Interim Director of Human Resources, or Their Designee.

PREVIOUS ACTION/REFERRAL:

Board Order No.: D19; C-5

Meeting of: October 10, 2017

File No.: 17-2442