



Contra
Costa
County

To: Board of Supervisors
From: LEGISLATION COMMITTEE
Date: December 8, 2015

Subject: Contra Costa County-Sponsored Bill Proposal for 2016: Disability Retirement for Non-Safety Employees

RECOMMENDATION(S):

SUPPORT the recommendation from the Legislation Committee to sponsor a bill in 2016 to ensure that both current Contra Costa County and dependent special district non-safety employees and new non-safety employees continue to receive the same disability retirement benefit.

FISCAL IMPACT:

There is no additional fiscal impact to the County from sponsoring this bill, as the County's legislative advocate receives a fixed monthly retainer.

BACKGROUND:

At its November 16, 2015 meeting, the Legislation Committee reviewed the Draft 2016 State Platform, which included a County-sponsored bill proposal from staff related to disability retirement provisions for non-safety employees. Given the more compressed schedule for the second year of a legislative session, which 2016 is, the Legislation Committee directed staff to propose Board of Supervisors support for the sponsored bill proposal prior to January 2016, when the Board of Supervisors would normally consider the adoption of the 2016 State Platform. Therefore, this item is presented for Board of

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/08/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 8, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie L. Mello, Deputy

Contact: L. DeLaney,
925-335-1097

cc: County Counsel

Supervisors consideration and support today.

BACKGROUND: (CONT'D)

BACKGROUND

Over thirty years ago, Contra Costa County-specific legislation was passed to establish a more economical disability retirement benefit for Contra Costa County's Retirement Tier Two (1.13%@55) for non-safety employees. (*Government Code sections 31720.1, 31727.01, and 31870.3.*) Tier Two was closed to new members in 2002. (*Resolution 2002/608.*)

In 1998, County-specific legislation was passed to establish new Contra Costa County Retirement Tier Three (2%@55) for non-safety employees. (*Government Code section 31755.*) Tier Three expressly incorporated the same disability retirement benefit applicable to Tier Two employees. (*Government Code section 31755, subsections (e) and (h), incorporating Government Code sections 31720.1 and 31727.01, and 31870.3.*)

This thirty year old, County-specific, more economical disability retirement benefit continues to apply to current County employees in Tier Three and to new hires with reciprocity. (*Government Code section 31755.*)

The Public Employees Pension Reform Act (PEPRA) does not address disability retirement benefits.

Through adopted Memoranda of Understanding (MOUs), the County and its recognized employee organizations have all agreed that the disability standard and disability retirement benefit applicable to Tier Three should also apply to new hires who enter the County's and dependent special districts' PEPRA non-safety tier (1%@67.) Furthermore, MOU provisions state that the County and its recognized employee organizations have agreed to jointly seek County-specific legislation to clarify that the current Tier Three disability provisions apply to the PEPRA non-safety tier.

This bill will ensure that both current Contra Costa County and dependent special district employees and new hires continue to receive the same disability retirement benefit, as provided in Government Code sections 31720.1, 31727.01, 31755, and 31870.3.

This bill does not apply to safety employees.