MARIPOSA COUNTY RESOLUTION No. 83-48

ESTABLISHING RULES FOR CERTIFICATION OF EMPLOYEE COMPETENCE AFTER AGE 70

WHEREAS the Board of Supervisors of Mariposa County passed Ordinance No. 596, amending the Contract between said Board and the Public Employees' Retirement System (PERS), which Ordinance becomes effective on February 24, 1983 and which Contract amendment becomes effective on February 25, 1983; and

WHEREAS the amendment enacted by Ordinance No. 596 has the effect of waiving age 70 mandatory retirement for local miscellaneous members only, under the PERS Contract, pursuant to Government Code Section 20983.6; and

WHEREAS, said Section 20983.6 of the Government Code requires certification of the member's competence, after age 70, in the member's position pursuant to rules and regulations adopted by the Board of Supervisors.

NOW THEREFORE, be it resolved by the Board of Supervisors of Mariposa County, that the following rules and regulations for certification of employee competence beyond age 70 are adopted to be added to the Personnel Policies and Procedures Handbook, pursuant to Government Code Section 20983.6, as follows:

1. Section 7.15 is added to the Personnel Policies and Procedures Handbook to read as follows:

"7.15 CERTIFICATION OF EMPLOYEES BEYOND MANDATORY RETIREMENT AGE

1. Any local miscellaneous employee who reaches the mandatory retirement age specified by law and who desires to continue County employment in the same position without interruption, may apply to the Board of Supervisors for certification of competence pursuant to Government Code Section 20983.6; such application must be filed prior to the retirement date specified by PERS."
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"2. Upon receipt of such application, the Board may request a report on the employee's competence from the employee's department head or immediate supervisor, if any, which report shall be advisory only and shall remain confidential except as to the employee.

3. Each year the Board of Supervisors may certify the competence of the employee to continue in the employee's position and shall immediately notify both the employee and PERS. Failure to so certify on or before the thirtieth day after the mandatory retirement date as set by PERS or certified employee's anniversary date, shall constitute automatic denial thereof.

4. "Competence" for this purpose shall be defined as "qualified, able, and authorized to perform the duties of his or her position at a minimum satisfactory level."

PASSED AND ADOPTED this 22nd day of February, 1983 by the Board of Supervisors of Mariposa County, by the following vote:

AYES: Barrick, Taber, Erickson, Moffitt, Dalton

NOES: None

ABSENT: None

ABSTAINED: None

ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

APPROVED AS TO FORM

RICHARD K. DENHALTER
County Counsel