

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA**



**RESOLUTION WAIVING THE 180-DAY SIT-OUT PERIOD FOR A SUPERIOR COURT
RETIREE TO PERFORM THE DUTIES OF COURT REPORTER SUPERVISOR**

WHEREAS, the State Legislature has adopted AB 340 in order to implement comprehensive pension reform through the enactment of the California Employees' Pension Reform Act of 2013 (PEPRA), as well as other statutory changes; and

WHEREAS, PEPRA applies to all public employers that participate in the County Employees Retirement Law of 1937 (and others) on or after January 1, 2013; and

WHEREAS, California Government Code section 7522.56(f), as enacted in PEPRA, requires newly retired persons to sit out for at least 180 days before returning to work for an employer in the same retirement system in which they receive a retirement allowance; and

WHEREAS, an exception can be made if the Superior Court Executive Committee (as the Employer) certifies that the nature of the employment and the appointment is necessary to fill a critically-needed position and the 180 days has not yet passed; and

WHEREAS, Michele McNeil was employed by the Superior Court for 25 years, most recently as the Court Reporter Supervisor for the past 2 years, and will be retiring May 10, 2019; and

WHEREAS, Ms. McNeil can perform this role without requiring extensive training; and

WHEREAS, it is proposed that Ms. McNeil fill the Court Reporter Supervisor position at the hourly rate established for the position; and

WHEREAS, it is requested that the 180-day waiting period be waived to allow Ms. McNeil to return to work after her retirement date for approximately two months;

NOW, THEREFORE, the Executive Committee of the Superior Court of Santa Barbara County HEREBY RESOLVES that:

1. Michele McNeil, through her specific knowledge and experience as the Superior Court's Court Reporter Supervisor, is qualified to provide essential and critical functions with a minimum of training.

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2. The Superior Court Executive Committee certifies that the employment of Michele McNeil is necessary to fill a critically-needed position before the 180-day sit-out period required by Government Code section 7522.56 has passed.
3. This Resolution was adopted at a properly noticed public meeting and was not placed on the consent calendar, in compliance with Government Code section 7522.56(f) (1).
4. This Resolution shall be effective immediately upon its adoption.

Signed:

MICHAEL CARROZZO, PRESIDING JUDGE
Superior Court of Santa Barbara County

DATE