

RCRC RESOLUTION 19-

**APPROVING AN EXCEPTION TO THE 180-DAY WAIT PERIOD FOR
EMPLOYING RETIRED ANNUITANT MARY PITTO, PURSUANT TO
GOVERNMENT CODE SECTIONS 7522.56 AND 21224**

WHEREAS, in compliance with Government Code section 7522.56, subdivision (f)(1), the Board of Directors of the Rural County Representatives of California (RCRC) will provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Mary Pitto retired from RCRC in the position of Regulatory Affairs Advocate, effective December 31, 2018; and

WHEREAS, Government Code section 7522.56 ordinarily requires that post-retirement employment commence no earlier than 180 days after the employee's retirement date, without this certification resolution; and

WHEREAS, an exception can be made if the RCRC Board of Directors 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, Ms. Pitto has specialized skills as a Regulatory Affairs Advocate, and extensive training and experience in regulatory advocacy on behalf of rural counties; and

WHEREAS, there are several regulatory advocacy matters of critical importance to rural counties presently pending, including proposed regulatory packages relating to organic waste reduction requirements and surface mining regulation; and

WHEREAS, although a recruitment to fill the position of Regulatory Affairs Advocate has already commenced, Ms. Pitto has detailed knowledge of the foregoing subjects that cannot be replaced, and her participation in rural counties' advocacy efforts on these subjects is critically needed; and

WHEREAS, it is further anticipated that there will be a critical need for an overlap period with Ms. Pitto's successors to enable cross-training for this position; and

WHEREAS, Ms. Pitto has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, Ms. Pitto has certified in writing that she did not, during the 12-month period preceding the reemployment date of January 16, 2018, receive unemployment insurance arising from prior employment subject to Government Code section 7522.56; and

WHREAS, Ms. Pitto has attained "normal retirement age," as that term is used in Government Code section 21220.5, and therefore no bona fide separation is required under Government Code section 21220.5; and

WHEREAS, this Resolution has been adopted at a properly noticed public meeting and was not placed on the consent calendar, in compliance with Government Code section 7522.56, subdivision (f)(1);

NOW, THEREFORE, BE IT RESOLVED by the Board of the Rural County Representatives of California (RCRC) that:

1. The Board of Directors hereby certifies that employment of Mary Pitto as an extra help Regulatory Affairs Advocate is necessary to fill a critically needed position before the 180 day wait period required by Government Code Section 7522.56 has elapsed. RCRC needs Ms. Pitto's specialized knowledge and technical skills to perform the duties and functions of extra help Regulatory Affairs Advocate in order to complete the pending regulatory advocacy matters and train her successor.
2. The President is hereby authorized to hire Ms. Pitto before conclusion of the 180 day wait period in accordance with Government Code sections 7522.56 and 21224. Ms. Pitto shall not be granted any compensation or benefits, nor permitted to work any hours, except in accordance with Government Code sections 7522.56 and 21224.

Secretary's Certificate

I certify that the foregoing is a true and accurate description of action taken at a properly constituted meeting of the Board of Directors of the Rural County Representatives of California on January 16, 2018.

Secretary's Signature