

City of El Paso de Robles

01/12/84

RESOLUTION NO. 2885

RESOLUTION TO PLACE EL PASO DE ROBLES ADMINISTRATION IN COMPLIANCE WITH THE FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 AS AMENDED

WHEREAS, the City Council does not wish to be in violation of 'The Age Discrimination in Employment Act of 1967, as amended', and

WHEREAS, the City Council is required to follow the rules promulgated by the State Legislature for the Public Employees Retirement System (PERS), and

WHEREAS, the rules of the PERS system are in violation of 'The Age Discrimination in Employment Act of 1967, as amended' in that paragraph A(9)(a) states:

'Section 20952.5 (Age 50 voluntary retirement) for local safety members only', and

WHEREAS, the PERS system cannot change that provision without State legislation,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of El Paso de Robles sets as a City policy the fact that it does not require a local safety employee to retire at age 50 and that upon retirement of a safety employee at age 50 for the purpose of receiving PERS benefits, the City will continue to hire that safety employee with all rights benefits and responsibilities bestowed on the employee on the day before his/her retirement date except that the employee will not be covered under the PERS system.

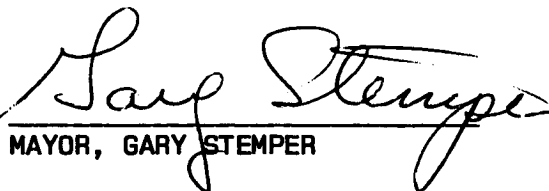
FURTHERMORE, IT IS RESOLVED that nothing in this resolution is intended to preclude a safety employee who wishes to retire at age 50 or earlier from doing so.

The following motion passed this 17th day of January, 1984, by the following roll call vote:

AYES: Councilmen Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: Councilman Monroe


MAYOR, GARY STEMPER

ATTEST:


CITY CLERK, JOHN R. MCCARTHY