HARTNELL COMMUNITY COLLEGE DISTRICT

Resolution No. 16:15

Exception to the 180-Day Wait Period under
Government Code Sections 7522.56 & 21229

WHEREAS, in compliance with Government Code section 7522.56 the Hartnell Community College District Board of Trustees must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Eric Price, (CalPERS ID 7130794440) retired from Hartnell College District in the position of Computer/Telephone Technician, effective June 30, 2016; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 28, 2016 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Hartnell Community College District Board of Trustees, the Hartnell College District, and Eric Price certify that Eric Price has not and will not receive a Golden Handshake or any other retirement related incentive; and

WHEREAS, the Hartnell Community College District Board of Trustees hereby appoints Eric Price as an extra help retired annuitant to perform the specialized duties of the Computer/Telephone Technician and to train his replacement after hire for the Hartnell College District under Government Code section 21229, effective August 3, 2016; and

WHEREAS, the entire employment agreement, contract or appointment document between Eric Price and the Hartnell College District has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is $5,936 and the hourly equivalent is $34.24, and the minimum base salary for this position is $4,883 and the hourly equivalent is $28.17; and
WHEREAS, the hourly rate paid to Eric Price will be $34.20; and

WHEREAS, Eric Price has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the Hartnell Community College District Board of Trustees hereby certifies the nature of the appointment of Eric Price as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of Computer/Telephone Technician for the Hartnell College District by August 3, 2016 because of the backlog of specialized computer technician work involving networks switches, microwave linkages, and similar projects, additional work required to complete the wiring, network, and safety testing to bring the new Science Building fully online, and to train his successor at the end of the recruitment period.

PASSED AND ADOPTED this 2nd day of August, 2016

AYES: DePauw, Donohue, Montermayor, Osorio, Padilla-Chavez, Salazar, Serena

NOES: None

ABSTAIN: None

ABSENT: None

HARTNELL COMMUNITY COLLEGE DISTRICT

[Signature]

Erica Padilla-Chavez/Board President

Attested:

[Signature]

Willard Lewallen, Superintendent/President
Secretary, Governing Board