

MOTION

PERSONNEL

The Los Angeles City Employees' Retirement System (LACERS) Board has discussed and developed a policy recommendation to amend the LAAC to include a thirty-day time limit by which departments are required to return to active service disability retirees, whom the Board finds to be no longer incapacitated for service.

The Board makes this recommendation based on their experience in attempting to return disability retirees back to work. It has experienced unusual delays from departments when attempting to place reactivated disability retirees in their former positions. Pursuant to Section 4.1055 of the LAAC, disability retirement allowances granted by the Board, also gives the Board discretion to cancel the disability pension and return disability retirees back to work, based on the opinions of physicians hired by LACERS as to the capacity of the retiree. LAAC Section 4.1055(b) states, in part:

"If the Board shall determine that such beneficiary is not so incapacitated, he or she shall be restored to duty in the position held by him or her at the time of said retirement order, and upon his or her return to active service his or her retirement allowance shall be canceled."

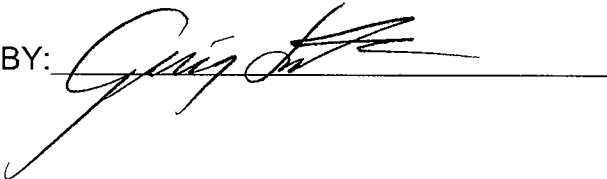
However, the Code does not provide a procedure to restore the disabled retiree to active service after the Board finds the member is no longer incapacitated. It also does not provide a time frame, by which the member must be restored to active duty. In order to prevent departments from dragging out the process of restoring a member to active duty, the Board recommends that the Council consider amending the Code to include a thirty-day limit by which departments must return a Board approved disability retiree to active duty.

I THEREFORE MOVE that City Council instruct the CAO, with assistance from LACERS, Personnel Department, City Attorney, and the CLA, to report with the necessary Ordinance, amending LAAC 4.1055, to include a thirty-day limit by which departments must return to active service, disability retirees who have been determined to be no longer incapacitated.

PRESENTED BY:


DENNIS P. ZINE
COUNCILMEMBER, 3rd DISTRICT

SECONDED BY:





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