

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: DISTRICT ATTORNEY *SA*

BOARD AGENDA # B-9

Urgent

Routine

AGENDA DATE August 12, 2014

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to re-hire a retired Victim Services Coordinator prior to the 180 day waiting period under Public Pension Reform Act (AB 340 and AB 197)

STAFF RECOMMENDATIONS:

Authorize the District Attorney's office to re-hire Gay McDaniel as an extra help Victim Services Coordinator prior to the 180 day waiting period.

FISCAL IMPACT:

There will be no fiscal impact as this extra-help position will be funded by Victim Services Grant.

BOARD ACTION AS FOLLOWS:

No. 2014-423

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: *Elizabeth A. King*
ELIZABETH A. KING, Assistant Clerk

File No.

Approval to re-hire a retired Victim Services Coordinator prior to the 180 day waiting period under Public Pension Reform Act (AB 340 and AB 197)

DISCUSSION:

The Public Pension Reform Act (AB 340 and AB 197) contains limitations on the use of retired annuitants, requiring that an annuitant have a 180 day break in service prior to returning to work for an employer in the same retirement system from which they receive a pension benefit. Under this same legislation, a retired annuitant can return to work for the same agency prior to the 180 day period following retirement if the employer certifies the appointment is necessary to fill a critically needed position and the Board of Supervisors approves the appointment in a public meeting in a non-consent agenda item.

The District Attorney's Office is requesting to appoint Gay McDaniel as an extra help Victim Services Coordinator. Ms. McDaniel retired from Stanislaus County on July 25, 2014 and held the position for over 8 years. A recruited replacement was hired on July 14, 2014, and resigned after one week of employment. Ms. McDaniel will be rehired to fill the Victim Services Coordinator position until recruitment and training can be completed for her replacement. Upon Ms. McDaniel's return, she will resume her duties supervising the Victim Services Advocates, continuing to ensure funding from the Victim Services Grant and training her successor on the details of the position. Ms. McDaniel will remain with the District Attorney's office on this short term assignment for approximately two months.

This extra-help position will be funded through the Victim Services Grant.

The ability to offer Ms. McDaniel extra-help employment prior to the 180 day waiting period will provide the only viable method to pass her knowledge of the position to her successor. The primary goals of the Stanislaus County District Attorney's Victim Services Program are to ensure that innocent people suffering the consequences of crime are heard and the criminal justice system is sensitive to the unique needs of the crime victim.

The Program provides:

- Crisis Intervention and peer crisis counseling
- Information on case status and case disposition and notification of court appearance
- Orientation to the criminal justice system
- Assistance in return of property when no longer needed as evidence
- Referrals to community and social service agencies for further services
- Assistance in applying for Victims of Crime compensation
- Court-ordered restitution information
- Other assistance and intervention as needed

To appropriately serve these victims, the Victim Services Coordinator must be ready to provide support to the crisis advocates, understand the dynamics of a victim of crime and understand the laws which provide rights to crime victims. It would be more efficient for the County and better for the victims if Ms. McDaniel can coach her replacement for the first two weeks in our office. Ms. McDaniel's knowledge of the position and experience working with grant funding is imperative to the success of the program. Her replacement was recruited with due diligence and due to

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DISCUSSION CONT:

unforeseen circumstances, was not successful in being retained prior to her departure. A new person has been recruited and is scheduled to start August 11, 2014. Without Ms. McDaniel's mentoring, the program and new Victim Services Program Coordinator will not have the building blocks for success to continue providing comprehensive services designed to assist crime victims through the difficult process.

POLICY ISSUES:

Approval by the Board of Supervisors is required to reinstate an employee that has been separated from employment less than 180 days under the Public Pension Reform Act.

STAFFING IMPACT:

There is no impact on staffing associated with this agenda item.

CONTACT INFORMATION:

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