

## EXHIBIT A

### ARTICLE 12: EMPLOYMENT AFTER RETIREMENT

**Section 12.01: Employment Prohibited unless Reinstated.** Except as otherwise provided herein, a Retired Participant shall not be employed in any capacity thereafter by the County or by a participating district unless he or she has first been reinstated from retirement pursuant to the provisions of Article 11.

**Section 12.02: Exception to Prohibition of Employment After Retirement.** Any Retired Participant may serve without reinstatement from retirement or loss or interruption of an allowance or benefits under this Plan, upon appointment by the County Employer as an employee of the County Employer either during an emergency to prevent to stoppage of public business or because the Retired Participant has skills needed to perform work of a limited duration. Appointment of a Retired Participant authorized under this Article 12 shall not exceed serve as an employee of the County of San Luis Obispo for no more than 960 hours during any fiscal year. A Retired Participant who is employed pursuant to this Article 12 shall not accrue Pension Trust Service Credit or any other retirement benefit or right under this Retirement Plan with respect to said employment unless he or she reinstates from retirement pursuant to Article 11: Reinstatement from Retirement of this Retirement Plan. in any temporary capacity not requiring participation in this Plan as a Member, however, a Retired Participant may not serve as an employee in said temporary capacity if such Retired Participant has not attained Normal Retirement Age as set forth in Article 9 of this Retirement Plan unless:

- ~~(a) at least sixty (60) days have elapsed since the Retired Participant's termination from County Employment and~~
- ~~(b) there was no predetermined agreement between the employer and the Retired Participant prior to termination from County Employment to return to work for the employer after termination from County Employment.~~
- (a) A Retired Participant shall not be eligible to be employed pursuant to this Section 12.02 for a period of 180 days following the date of retirement unless he or she meets one of the following conditions:
  - (1) The County Employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed and that the appointment has been approved by the governing body in a public meeting.
  - (2) The retiree is a Safety member or Probation Officer Member.
- (b) A Retired Participant who accepted a retirement incentive upon retirement provided by the County Employer shall not be eligible to be employed pursuant to this section for a period of 180 days and said Retired Participant shall not be subject to the provisions of Section 12.02 (a)

- (c) Notwithstanding any other provision of this Retirement Plan, a Retired Participant shall not be eligible to serve or be employed by the County Employer if, during the 12 month period preceding the employment described in this Section, the Retired Participant received any unemployment insurance compensation arising out of prior employment subject to this Section with the County Employer. The Retired Participant shall certify in writing to the County Employer upon accepting an offer of employment under this Section that he or she is in compliance with this requirement.

Any Retired Participant who does serve as an employee for more than 960 hours during any fiscal year shall have his or her allowance or benefits under this Plan suspended. Any Retired Participant may, regardless of age or time retired, without reinstatement from retirement or loss or interruption of benefits under this Plan, serve as a juror or election officer and receive any fees payable for such service, and further, may be appointed by the Board of Supervisors of the County as a member of any non-salaried board, commission, or advisory board. Any Retired Participant may, without reinstatement from retirement or any loss or interruption of benefits under this Plan, serve as an elected County officer, provided, however, that such elected County officer shall not accumulate additional retirement benefits or Pension Trust service credit during the period that he or she shall hold said elective County office. (1-10-84)(04-19-88)(7-12-11)(12-18-12)