

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

DEPT: Health Services Agency

BOARD AGENDA #: B-11

AGENDA DATE: April 4, 2017

**SUBJECT:**

Approval to Rehire Dr. John Walker for Limited Purposes Prior to the 180-Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

**BOARD ACTION AS FOLLOWS:**

No. 2017-166

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST: Elizabeth A. King  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Health Services Agency

BOARD AGENDA #: B-11

Urgent  Routine

AGENDA DATE: April 4, 2017

CEO CONCURRENCE: *phx*

4/5 Vote Required: Yes  No

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**SUBJECT:**

Approval to Rehire Dr. John Walker for Limited Purposes Prior to the 180-Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

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**STAFF RECOMMENDATIONS:**

1. Authorize the Health Services Agency Director to rehire Dr. John Walker, previous Public Health Officer, effective April 4, 2017, for limited purposes prior to the 180-day sit out period as required by the Public Employees' Pension Reform Act of 2013.
2. Certify that the rehiring of Dr. John Walker in a part-time capacity is necessary prior to the passage of the 180-day sit out period.

**DISCUSSION:**

Dr. John Walker served as the Stanislaus County Public Health Officer (PHO) from November 2000 until his retirement on March 30, 2017. On March 28, 2017, the Board of Supervisors approved the appointment of Dr. Del Morris as the Interim Public Health Officer, effective March 31, 2017, in order to provide continuity of services and to meet State Health and Safety Code requirements, while the Department continues to actively recruit to fill the position of Public Health Officer permanently.

As presented to the Board, Dr. Del Morris will continue to fulfill his full-time Medical Director responsibilities while serving as the Interim Public Health Officer and will require support during the interim period. While existing staff from the Health Services Agency (Agency) will assist, the return of Dr. John Walker in a limited part-time capacity is necessary to adequately fulfill the responsibilities assigned to the Public Health Officer and to assure adequate depth in the event of a community emergency response need.

The knowledge and experience of Dr. John Walker is needed to advise and assist the Interim PHO and other staff with regard to communicable disease surveillance and intervention, emergency medical services systems planning and response, jail health inspection requirements, analysis and reporting, and vital statistics documents and reporting. Dr. Walker will also act as medical advisor on the required Community Health Improvement Plan update currently being established as well as other Public Health Accreditation processes. Additionally, as staff anticipates securing a permanent Public Health Officer candidate within the next one to three months, Dr. Walker's assistance with orientation and training would be of critical importance to assure continuity in an effort to protect the public's health.

Approval to Rehire Dr. John Walker for Limited Purposes Prior to the 180-Day Sit Out Period as Required by the Public Employee's Pension Reform Action of 2013

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**POLICY ISSUE:**

Government Code sections 7522-7522.74 describe the California Public Employees' Pension Reform Action of 2013 (PEPRA). The PEPRA provides that a non-safety retired person shall not be eligible to be employed for a period of 180 days following the date of retirement unless the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed. The appointment must be considered as a non-consent agenda item and approved by the governing body in a public meeting.

**FISCAL IMPACT:**

The Agency's approved budget includes the full expense of the Public Health Officer position. The expense related to the requested part-time employment of Dr. Walker would be offset by the salary savings during the duration of the Public Health Officer position vacancy.

**BOARD OF SUPERVISORS' PRIORITY:**

Approval to rehire Dr. John Walker in a limited capacity prior to the 180-day sit out period as required by the PEPRA will enable the Health Services Agency to continue to provide the full range of services associated with the position of Public Health Officer and supports the Board of Supervisors' priority of A Healthy Community.

**STAFFING IMPACT:**

Health Services Agency staff will continue to aggressively recruit qualified applicants for the Public Health Officer position while utilizing the part-time services of Dr. John Walker.

**CONTACT PERSON:**

Mary Ann Lee, Manager Director, Health Services Agency, (209) 558-7163

**ATTACHMENT(S):**

None