



FRANK WHITE, JR.
Jackson County Executive

EXECUTIVE ORDER NO. 18-22

To: Members of the Legislature
Clerk of the Legislature

From: Frank White, Jr.
County Executive

Date: Monday, December 17, 2018

Subj.: Amendment to the Personnel Rules: Reemployment Waiting Period

RECEIVED

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MARY JO SPINO
COUNTY CLERK

*4:10 pm
MJH*

Pursuant to section 706.1 of the Jackson County Code, 1984, I hereby promulgate the attached amendment to Rule 11 of the Jackson County Personnel Rules for Jackson County Associates. The amendment shall be effective immediately.

Pursuant to Rule 11:

Section 11.23 – Reemployment Waiting Period for Retired County Employees

Any former county employee who is currently receiving county monthly pension income payments shall not be considered for reemployment by the county within one-year of leaving county employment, unless such pension benefits are suspended due to reemployment.

Frank White, Jr., County Executive

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Rule 11 – Applications and Examinations Applicants and Conditions of Employment

Section 11.23 – Reemployment Waiting Period for Retired County Employees

Any former county employee that is currently receiving monthly pension income payments from the county shall not be considered for reemployment within one-year of leaving the county, unless such pension benefits are suspended due to reemployment.



FRANK WHITE, JR. Jackson County Executive

Monday, December 17, 2018

Every day, more than 1,000 men and women come to work for Jackson County, many of whom will spend years or even decades in service to the County. Each and every one of them deserves to know that when they need it, the pension they worked so hard to earn will be there for them.

Recently, a “super-majority” of our County Legislature voted to make changes to the county’s pension system. These changes include, most notably, provisions allowing certain county retirees to return to full-time work while simultaneously drawing a pension from the county. To be clear, if I were still a member of the Legislature I would have joined the minority and voted against this change. My vote in opposition would have been based, in large part, upon the unanimous recommendation of the County’s Pension Board. It is concerning when the body that has been created by the County Legislature to manage and protect our pension system votes unanimously in opposition to a proposal, yet six members of the Legislature nevertheless vote to support the change. In addition, at this time we still do not have an estimate of the cost to the pension system to implement such a change. However, similar provisions have been found to cost public pensions millions of dollars annually.¹

As County Executive, I do not have a vote on the matter and my charter authority to request reconsideration would most certainly have been overridden by the same six legislators that voted for this proposal. While I have chosen not to sign the Ordinance, I have chosen not to go through the disapproval process and instead am offering the support and cooperation of my administration to the legislators that will be seated in less than a month to work together on addressing this issue.

In conclusion, today I have issued Executive Order #18-22. This executive order modifies the county’s existing personnel rule by prohibiting certain county retirees from returning to full-time employment within a year of retirement. Without this executive order, certain county employees would be able to retire, start drawing their monthly pension payments and return to work immediately while still receiving their pension payments. While this change will limit potential abuse of the new pension provisions, legislative action will be required to fully address this issue.

Frank White, Jr.
Jackson County Executive

¹ “Utah Postretirement Employment Restrictions,” Office of Legislative Research and General Counsel. December 2014. Stating, “According to URS’s actuary, URS incurred an accumulated impact of rehired retirees from 2000 to 2008 to be \$401.3 million due to postretirement reemployment provisions. OLAG auditors estimate that if the current [2009] trend of reemployed retirees continues, URS will incur additional liabilities of at least \$897 million between 2009 and 2018.”

