



Home of the Tualatin River National Wildlife Refuge

RESOLUTION 2024-006

AUTHORIZING WORKBACK POLICY FOR THE CITY OF SHERWOOD

WHEREAS, Senate Bill 1049 and House Bill 2296 allow most employees to retire from the PERS system and work after retirement with no limitations on the number of hours worked and without penalty; and

WHEREAS, House Bill 2296 extended the program through December 31, 2034; and

WHEREAS, in 2022 the City Council adopted Resolution 2022-068 adopting a Workback Policy for the Sherwood Police Department thru December 31, 2024; and

WHEREAS, the Workback Policy has been successful in the Police Department and staff recommends that the program be extended City-wide; and

WHEREAS, the Workback Policy will help the City to retain and attract experienced employees and/or candidates in difficult-to-fill, highly specialized, key positions within the City; and

WHEREAS, the Workback Policy is further intended to help the City address the unfunded liability in the PERS system by redirecting PERS contributions as described in SB 1049 (2019); and

WHEREAS, the Workback Policy will be extended for a 5 year period and expanded to all city staff for, difficult-to-fill positions, as determined and authorized by the City Manager.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Council approves the Workback Policy attached hereto as Exhibit A.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 20th of February, 2024.



Kim Young, Council President

Attest:



Sylvia Murphy, MMC, City Recorder



Administrative Policy

Originating Department: Office of the City Manager and Human Resources

Policy Title: PERS Retiree Workback

Effective Date: February 20, 2024

Policy Statement: The purpose of this policy is to assist the City in addressing an anticipated increase in retirements by helping the City retain and attract experienced employees and candidates. This policy is further intended to help the City address the unfunded liability in the PERS system by redirecting PERS contributions as described in SB 1049 (2019) and HB 2296 (2023).

Eligibility: The policy applies to all employees of the City of Sherwood, including employees represented employees subject to mutually agreeable memorandums of understanding entered into between the City and their respective unions, as well as any other PERS Retiree who is receiving a service retirement benefit under Tier One/Tier Two or the Oregon Public Service Retirement Plan (OPSRP), or who has elected to retire without a PERS service retirement benefit may be employed by the City subject to the provisions outlined below.

Guidelines - Scope:

1. PERS Retirees may be employed in a regular, temporary, seasonal or on-call employment assignment.
2. PERS Retirees employed in a represented position will be subject to mutually agreeable memorandums of understanding, entered into between the City and their respective union, setting forth the terms and conditions of their employment.
3. The terms and conditions of the employment of a PERS retiree must be approved by the City Manager after consulting with Human Resources prior to the employment of the retiree. The City Manager shall determine whether it is in the public interest to employ the PERS Retiree because of the person's knowledge, skills and abilities.
4. The employment assignment of a PERS Retiree may be to a classification which they previously held in career status or to another classification provided the Retiree is qualified for the classification. PERS Retirees who have never worked for the City previously, must participate in a competitive recruitment process.
5. Oregon statutes may impose certain restrictions on the employment of a person receiving PERS and/or OPSRP retirement benefits. The employee is responsible for complying with any statutory and taxation requirements. The City of Sherwood is not responsible for the impact upon the retirement benefits of a PERS or OPSRP Retiree resulting from their employment with the City.
6. PERS Retirees may continue their employment, subject to any statutory limitations, for as long as the City determines their services are needed or until the sunset date of SB 1049. PERS Retirees are at-will employees whose length of employment is at the sole discretion of the City.
7. PERS Retirees may be appointed into their position or classification they most recently held provided the break in service is no longer than thirty (30) Days. If the break in service is longer than thirty (30) days then the City Manager may determine whether it is in the public interest to still employ the PERS Retiree in their most recently held position or classification, but that decision is solely at the discretion of the City.
8. PERS Retirees who have never been employed by the City or were previously employed by the City, but are requesting consideration for employment in positions other than the position or classification they most recently held, may apply and compete for those positions through a competitive recruitment process.

9. PERS Retirees who retire from PERS and return to work at the City of Sherwood, without having to apply through a regular hiring process do not have recall, seniority, bumping rights, or any rights derived through any previous employment contract or applicable collective bargaining agreement, except as required by state and federal law.
10. PERS Retirees are entitled to receive health insurance in accordance with state and federal law.
11. PERS Retirees are entitled to receive medical leave, sick leave, family leave and other leave in accordance with state and federal law.

Periodic Review:

This policy shall sunset on December 31, 2029 or be reviewed by the City Council, should provisions extend by SB 1049 as needed, and updated as necessary. The City Council may modify or revoke this policy at its discretion

Review and Authorization:

City Manager

Date

Revision #	City Manager Signature	Date	Nature of Revision
1			
2			
3			