

Exhibit ASection 8-045 Retirement

(1) In accordance with pension law regulations regarding the employment of an Oregon Public Employee Retirement System (PERS) employee who is retired, reemployment is subject to the following conditions

- (a) That unless the PERS retiree qualifies for and is reinstated to a position with permanent employment status (retiree) as provided in Section (2) below, the employment will be on a temporary basis and shall not exceed ~~600~~ 860 hours in any one calendar year
- (b) No permanent employee (except for those who are in "permanent status (retiree)") shall be displaced by such employment
- (c) That reemployment shall be in the same or lower classification in which the employee was last permanently employed
- (d) That such employee shall not have the benefit of any previously acquired seniority

(2) In the event the PERS retiree wishes to return or continue work after retirement in a classification from which the former employee retired and in which the employee held permanent status at the time he/she retired, or in any other classification in which the employee held permanent status at the time he/she retired, the former employee who retired may be reinstated to a position in such classification(s) provided

- (a) The PERS employee is still qualified to perform the work,
- (b) That such reinstatement to a permanent employment status (retiree) is solely at the request of the appointing authority and upon approval by the Personnel Director, and provided there are no employees on the layoff list for the class
- (c) No permanent employee (except for those who are in "permanent status (retiree)") shall be displaced by such employment
- (d) That such employee shall not have the benefit of any previously acquired seniority

Such reinstatement shall be to a permanent status (retiree) and reflected by the appropriate employment code designated for this purpose. Any employee returning to a permanent status (retiree), unless alternate provisions are specifically negotiated in a collective bargaining agreement, shall not have seniority rights for purposes of layoff and recall, does not require "just

cause" for discipline or removal from a position, and is not eligible for PERS, vacation, sick leave or personal holiday accruals. Eligibility for health benefits is as authorized by the City Council. If placed in a permanent status (retiree), employment for the employees shall not exceed 1040 hours in any one calendar year, or the number of hours of employment allowed by State statutes for PERS retirees without affecting their PERS retirement benefits, in the event that the limit in the State statutes is revised from 1040 hours in any one calendar year.

(2)(3) Employees who have qualified for disability retirement under the Public Employee Retirement System (PERS), shall be considered as voluntarily laid off and their names shall be placed on the laid off list for the classification which they held at time of such disability retirement, unless they are already in a medically laid off status. The City will continue to meet its obligations in accordance with ORS 659 415 and 659 420 if applicable.

(3)(4) If subsequent to a retirement for disability it appears that the employee is able to return to work, the employee shall notify the Director and the employee's name shall be certified to an appropriate, available and suitable position in accordance with the City's layoff and recall procedures.

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#### Section 8-025 Reinstatement

(1) Former employees who have separated from City Service in good standing may be reinstated as follows.

- (a) Any person who has resigned from the City Service in good standing or has taken a voluntary demotion that was not the result of a layoff, and who had attained permanent status prior to separation or demotion and is still qualified to perform the work may be reinstated, solely at the request of the appointing authority and upon approval by the Personnel Director, within five years from the effective date of separation or demotion, provided there are no employees on the layoff list for the class.
- (b) Former probationary employees who have left City Service in good standing, and who have served at least sixty (60) days of their probationary period prior to leaving, may be reinstated to their previous probationary status, solely at the request of the appointing authority and upon approval by the Personnel Director, within one year from the effective date of their separation, provided there are no employees on the layoff list for the class.

[Resolution No 34944 adopted revisions to Section 8-025(1), effective February 5, 1992 ]

- (c) In the event the retiree wishes to return or continue work after retirement

in a classification from which the former employee retired but for which the employee held permanent status at the time he/she retired, or in any other classification in which the employee held permanent status at the time he/she retired, the former employee who retired may be reinstated to a position in such classification(s), solely at the request of the appointing authority and upon approval by the Personnel Director, consistent with the provisions of Section 8-045 (2) of the Personnel Rules.

(2) An employee separated due to physical or mental incapacity may be reinstated to his/her former position if able to perform the duties as required in accordance with applicable state regulations and these Rules. A medical release from the attending physician must be supplied by the employee. The Personnel Director may request additional evidence.

**35797**

**RESOLUTION No.**

Approve amendments to Personnel Rules increasing hourly maximum employment for PERS retirees (Resolution)

WHEREAS, the Personnel Rules currently limit PERS retirees to 600 hours of employment in a calendar year, and

WHEREAS, Oregon Revised Statutes allow PERS retirees to work up to 1040 hours in a calendar year, and

WHEREAS, City bureaus benefit from the use of PERS retirees and would like to increase the number of hours that PERS retirees can work, and,

WHEREAS, the Personnel Director has fulfilled the rules adoption procedure required by the Personnel Rules, and

WHEREAS, the Personnel Rules require the submission of proposed personnel Rules to the City Council for approval by resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of Portland, Oregon does hereby approve the Rules and amendments attached hereto as Exhibit A

**ADOPTED** by the Council, **MAY 26 1999**

Mayor Katz  
Office of Finance and Administration  
Tim Grewe  
Bureau of Human Resources  
Janice Deardorff J Worcester  
May 26, 1999

**GARY BLACKMER**  
Auditor of the City of Portland

By *Britta Olson*  
Deputy

**RESOLUTION NO. 35797**

Approve amendments to Personnel Rules increasing hourly maximum employment for PERS retirees (Resolution)

<p style="text-align: center;">INTRODUCED BY</p> <p>Mayor Vera Katz</p> <hr/> <p style="text-align: center;">NOTED BY COMMISSIONER</p> <p>Affairs</p> <p>Finance and Administration <i>UKA</i></p> <p>Safety</p> <p>Utilities</p> <p>Works</p> <hr/> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau Human Resources <i>Janice Deardorff</i></p> <p>Prepared by Janice Deardorff/ John Worcester</p> <p>Date May 26 1999</p> <hr/> <p>Budget Impact Review</p> <p><input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not Required</p> <hr/> <p>Bureau Head <i>Tim Grewe</i></p>	<p style="text-align: right;">DATE FILED <b>MAY 21 1999</b></p> <p style="text-align: center;">Gary Blackmer Auditor of the City of Portland</p> <p>By <u><i>Cay Kershner</i></u> Deputy</p> <p>For Meeting of _____</p> <p><b>ACTION TAKEN</b></p>
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AGENDA		FOUR FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS	
Consent	Regular		YEAS	NAYS
X		Francesconi	}	
NOTED BY		Hales		
City Attorney	<i>MLK</i>	Saltzman		
City Auditor		Sten		
City Engineer		Katz		