



COUNTY OF SANTA CRUZ

037

Personnel Department Risk Management

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December 1, 1998

AGENDA: December 15, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

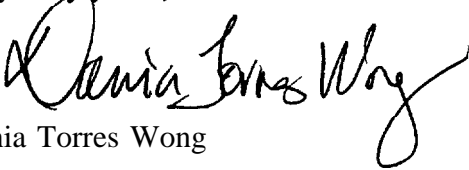
DETERMINATION OF DISABILITY RETIREMENT STATUS OF SAFETY MEMBER

Dear Members of the Board:

Ms. Deanne Dodson has applied to the Public Employees' Retirement System (**PERS**) for a disability retirement. Under the terms of the Public Employees' Retirement law, an employee is disabled if they cannot substantially perform the duties of the position they occupy. PERS requires that your Board provide, via a resolution, a determination of two issues: (1) whether Ms. Dodson is disabled (under the above-stated terms); and (2) whether her disability (if so determined) is "industrial" (work related). The Board has previously reviewed and approved this recommendation in closed litigation session.

The attached resolution **RECOMMENDED** for your approval states that Ms. Dodson is disabled under the Public Employees' Retirement law.

Very truly yours,


Dania Torres Wong

DTW:JM/ jm

RECOMMENDED:


SUSAN A. MAURIELLO
County Administrative Officer

cc: County Counsel; Sheriff Tracy; Deanne Dodson

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following Resolution is adopted:

RESOLUTION **DETERMINING** DISABILITY RETIREMENT OF
DEANNE DODSON, DETENTION OFFICER

WHEREAS, the County of Santa Cruz (hereinafter referred to as County) is a contracting agency of the Public Employees' Retirement System; and

WHEREAS, the Public Employees' Retirement Law requires that a contracting agency determine whether a local safety member, employee of such agency is disabled for purposes of the Public Employees' Retirement Law and whether such disability is "industrial" within the meaning of such law; and

WHEREAS, an application for disability retirement of Deanne Dodson formerly employed by the County of Santa Cruz in the position of detention **officer** has been filed with the Public Employees' Retirement System; and

WHEREAS, the Board of Supervisors has reviewed the medical and other evidence relevant to such alleged disability;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors **find** and determine and it does hereby find and determine that Deanne Dodson is incapacitated within the meaning of the Public employees' Retirement Law for performance of her duties in the position of detention officer; and

BE IT FURTHER RESOLVED that pursuant to Labor Code Section 3600, such disability is out of and occurred in the course of employment with the County and is industrial;

BE IT FURTHER RESOLVED that such disability was not caused by negligence or an intentional act of a third party;

BE IT FURTHER RESOLVED that such disability is orthopedic to the right elbow;

BE IT FURTHER RESOLVED that the member may separate her employment in the position of detention officer effective January 7, 1997.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa **Cruz**, State of California, this _____ day of _____, 1998, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Jan Beautz, Chairperson
Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Harry A. Oberhelman III
County Counsel 12/8/98

Distribution: Personnel
County Counsel
Auditor-Controller
Sheriff
Risk Management