

**RESOLUTION** 15-8042

**RESOLUTION TO DELEGATE AUTHORITY IN THE DETERMINATION WHETHER  
DISABILITY IS “INDUSTRIAL” PURSUANT TO GOVERNMENT CODE §21173.**

**WHEREAS**, the County of Plumas (hereinafter referred to as Agency) is a contracting agency of the Public Employees’ Retirement System; and

**WHEREAS**, the Public Employees’ Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he/she is classified as a local safety member is disabled for the purposes of the Public Employee Retirement Law and whether such disability is “industrial” within the meaning of such law:

**WHEREAS**, the County of Plumas Board of Supervisors has determined upon legal advice that it may delegate authority under Section 21173 of the Government Code to make such determination to the incumbent of the County Administrative Officer. Should the County not have an incumbent in the position of County Administrative Officer the determination will be made by the County Risk Manager. If the positions of County Administrative Officer and the County Risk Manager are vacant the determination will be made by the County Human Resources Director.

**NOW, THEREFORE, BE IT RESOLVED:**

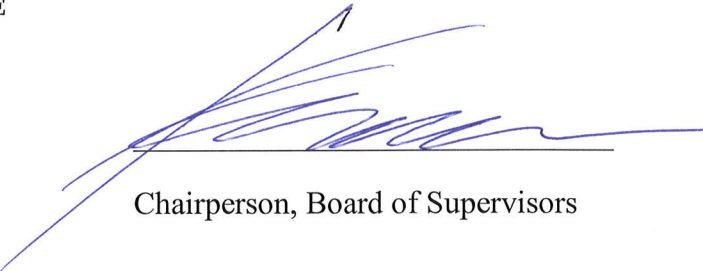
That the County of Plumas Board of Supervisors delegate and does hereby delegate to the incumbent County Administrative Officer authority to make initial determinations under Government Code §21152 (c), on behalf of the agency, of disability and whether such disability is industrial and in the event no timely appeals are filed to certify such determinations and all other necessary information to the Public Employers Retirement System. Should the position of County Administrative Officer be vacant the County Risk Manager will make this initial determination. In the absence of a County Administrative Officer and County Risk Manager the initial determination will fall to the County Human Resources Director.

In the event of timely appeals final determination under Government Code §21157 shall be made by the County Board of Supervisors sitting as Trier of Fact in accordance with procedure set forth in Resolution No. 15-8042.

**BE IT FURTHER RESOLVED** that such incumbent be and he/she is authorized to make applications on behalf of the agency for disability retirement of all employees and to initiate requests for reinstatement of such employees who are retired for disability.

The foregoing Resolution is duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 3rd day of March, 2015 by the following vote:

AYES: Supervisors THRALL, ENGEL, SIMPSON, SWOFFORD, GOSS  
NOES: Supervisors NONE  
ABSENT: Supervisors NONE



Chairperson, Board of Supervisors

ATTEST:



Executive Clerk/Board of Supervisors