

RESOLUTION #2022-14

**A RESOLUTION REQUESTING A CHANGE TO THE
PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OF
NEW MEXICO (PERA) RETURN TO WORK
PROVISIONS**

WHEREAS, the legislature of the State of New Mexico has adopted legislation establishing the New Mexico Public Employees Retirement Association (PERA) and legislation amending and modifying the same; and,

WHEREAS, pursuant to the current legislation, a retiree hired on or after July 1, 2010 who returns to work for a PERA affiliate will have his/her benefits suspended. This prevents a retired member of the PERA from collecting both a salary and their retirement benefits (a pension); and,

WHEREAS, retired members, who choose to return to work for a PERA affiliate currently only has the following options:

1. Becoming a contributing member to PERA and resume accruing service credit, thereby the contributing member's benefit will be recalculated; or,
2. If the retired member has completed a 12-month break in service from his/her retirement date, the member can begin employment with the PERA affiliate and choose not to make member contributions. In this case, retired member will not accrue service credit.

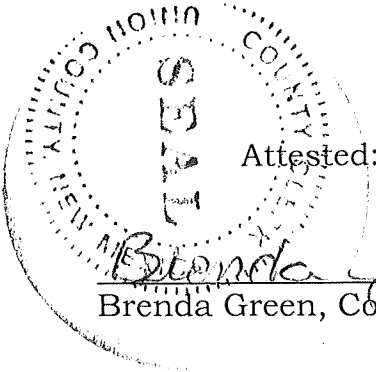
WHEREAS, due to the COVID-19 pandemic, it has become increasingly difficult for local governmental agencies such as Union County, to recruit and retain qualified applicants, particularly within public safety positions (Detention and Sheriff); and,

WHEREAS, an amendment or modification to the current PERA legislation at this time imposing a five (5) year moratorium on the current statute pertaining to retired members who choose to return to work for a PERA affiliate would allow retirees to come back and train, mentor and work part-time or full-time assisting the Cities, Counties, as well as the State of New Mexico in filling numerous vacant positions to assist and allow for the governmental entities in the State of New Mexico to continue providing the quality of public service that is necessary and expected from the same.

NOW, THEREFORE, the Board of County Commissioners of Union County hereby request that the New Mexico Legislature and Governor Michelle Lujan Grisham consider the adoption of a statute, rule or regulation that addresses the above referenced PERA restrictions and/or implements a five (5) year moratorium on the enforcement of the same to allow qualified and willing retirees to assist governmental entities in providing these necessary services to citizens of New Mexico.

PASSED, APPROVED AND ADOPTED this 12th day of October 2021.

BOARD OF COUNTY COMMISSIONERS OF UNION
COUNTY, NEW MEXICO



Attested:

Brenda Green
Brenda Green, County Clerk

Justin Bennett, Chairman

Clayton Kiesling
Clayton Kiesling, Member

Walter Hall
Walter Hall, Member