

ADDENDUM MATERIAL

DATE 4-5-22

ITEM NO. ADD 3

Re: **County Administrator Contract Terms and Retirement**

Mr. Huckelberry's contract term is from January 19, 2021, through January 7, 2025 and provides for:

- \$292,000 annual salary;
- \$500 monthly vehicle allowance;
- Annual, sick, vacation, holiday and other paid leave;
- Maximum net deferred compensation contribution allowed by the IRS each tax year (\$26,000 for 2021)
- Annual \$15,000 contribution to Employee 401(a) Supplemental Retirement Savings Plan;
- Annual \$8,200 contribution to Health Savings Account; and,
- All benefits available to other employees and staff of the County.

The contract provides that if the employee retires as allowed by ASRS, Employee can return to work as a contractor without any negotiation of the terms of this contract, including its length.

Arizona law allows ASRS retirees who have terminated employment to return to work with an ASRS employer, within 12 months of employment, if they abide by the 20/20 Rule. Failure to abide by the 20/20 Rule may result in a suspension of their pension. This 20/20 Rule provides that the member cannot work more than 20 hours per week for 20 or more weeks in a fiscal year. For instance, the member may work 19 full-time weeks and then work the remainder of the fiscal year at 19 hours each week. After 12 months, the member is permitted to return to work full-time without a suspension of pension. A *Retiree Return to Work for an ASRS Employer* form must be completed upon beginning any post-retirement employment and again if work hours permanently change.

From January 19, 2020, through July 4, 2021, Mr. Huckelberry received full pay and all the terms under the contract.

Effective July 5, 2021, Mr. Huckelberry continued to receive full pay and all the terms under the contract. He continued to work full-time (i.e. 40 hours).

On October 23, 2021, Mr. Huckelberry was involved in an accident and was unable to return to work. Effective October 25, 2021, Mr. Huckelberry used full-time (40 hours) accruals (sick and/or vacation) through November 14, 2021 (or 19th work week), and received his full pay and all the terms under the contract.

Effective November 15, 2021, Mr. Huckelberry began using 19 hours of accruals (sick and/or vacation) in order to remain in compliance with the ASRS 20/20 Rule. He therefore received part-time pay and all the terms under the contract. If continuing to use accruals at the rate of 19 hours per week, this will cover 19 hours through the week of May 2, 2022, with a few hours remaining.

Currently, Mr. Huckelberry remains under the terms of his contract receiving 19 hours pay and all the terms under the contract.

On a side note, pursuant to the Affordable Care Act, an employee who has worked the "requisite" number of hours within the measurement period who later falls below the required number of

APR 04 22 PM 05:52 PC CLK OF BD
ML

hours needed to obtain benefits, the employer is required to continue to offer benefits for the remainder of the Plan Year. Mr. Huckelberry would also fall under this caveat.