

# County of Santa Clara

Office of the Board of Supervisors

County Government Center, East Wing  
70 West Hedding Street, 10th Floor  
San Jose, California 95110  
(408) 299-2323  
FAX 298-8460 TDD 993-8272



James T. Beall, Jr.  
Supervisor, Fourth District

## MEMORANDUM

TO: Pete Kutas  
Director, Employee Services Agency

FROM: James T. Beall, Jr.  
Supervisor, District 4

DATE: March 20, 1995

SUBJECT: Sheriff Disability Retirement Issue

Having reviewed the Sheriff Disability Retirement report, I have some further questions regarding the negotiation history between the County and the Deputy Sheriffs' Association and the stipulations under which an employer can deny disability retirement to an otherwise qualified safety officer.

1. What has been the Deputy Sheriff's Association (DSA) position regarding this issue? How willing are they to explore other job opportunities for disabled sheriffs. What proposals has the County given to DSA in the past?
2. According to the American Disabilities Act an employer can deny disability retirement to an otherwise qualified safety employee if the employer provides a suitable modified position meeting stringent requirements, such as, the officer will have the same promotional opportunities as other employees in the police officer classification. How flexible is the interpretation of "the same promotional opportunities"? Can an officer be transferred or retained into positions such as probation councilors or caseworkers with similar promotional opportunities?
3. In San Diego County there is a program in which officers are offered early retirement and then re-hired into positions that they could not have previously transferred into. Is a similar program possible for Santa Clara County?

I believe it should be our goal to retire the officers that can no longer be a productive contribution to the County and find fulfilling justifiable work for those who are still able. Any efforts that can be made to help achieve this goal will be greatly appreciated.