



# Hiring SamCERA Retirees as Extra Help or Contractors

Ensure compliance with state and federal law by following these three easy steps:

## 1

### Determine when the retiree can return to work

The required break in service differs depending upon whether the retiree is a general or safety member, and their age at the time of retirement.

#### GENERAL MEMBERS

## 180 Days

There must be at least a 180-day break in service between the date of retirement and the date of reemployment, regardless of employee's age at the time of retirement.

*Exception: The Board of Supervisors (BOS) has certified that an earlier reemployment is necessary to fill a critically needed position.*

To request this BOS action, a "Request to Rehire a SamCERA Retiree Before the 180-Day Break in Service" form (from the Human Resources Department) must be completed.

If approved, the break in service can be reduced to 90 days if the retiree retired younger than age 60 (53 for Safety). The retiree can return to work immediately if they retired at age 60 or above (53 for Safety).

#### SAFETY & PROBATION MEMBERS

## 90 Days\*

There must be at least a 90-day break in service between the date of retirement and the date of reemployment, if the employee was younger than 53 at the time of retirement.

*\*Only Safety & Probation members, who are being rehired to provide services regularly performed by a safety officer, are subject to this rule. All others are subject to the 180 day rule.*

#### TIP

You don't need to worry about this process if you're rehiring the retiree as a full-time County employee and the retiree will be "unretiring."

### Emergency Exceptions to the Required Break in Service

If the services are needed to respond to an emergency declared by a government agency or to an emergency that may cause the stoppage of public business, all retirees can work regardless of their age at retirement or length of break in service.

## 2

### Complete the Certification of Compliance for Post-Retirement Employment and Send a Copy to SamCERA

Prior to returning to work, **all retirees** (both contract and extra-help), must have submitted to SamCERA a "Certification of Compliance for Post-Retirement Employment" form completed by both the employer and the retiree.

## 3

### Pay the Correct Rate of Pay & Limit Work Hours to 960-Hours Per Fiscal Year

The hourly rate of pay must be within the salary range of employees performing comparable duties & retirees cannot work more than 960 hours each fiscal year, ending with the closest pay period to June 30th.

### Contact SamCERA for More Information

Ph: 650-599-1234 | E: samcera@samcera.org