

Hiring SamCERA Retirees as Extra Help or Contractors

Ensure compliance with state and federal law.

Follow these three easy steps:

1

Find out if you're hiring a **SamCERA member**.

This process only applies when you're hiring a SamCERA retiree. Retirees from other public systems do not need to go through this process. If you don't know if the person is a SamCERA retiree, ask them. If you need help, contact SamCERA.

2

Determine the **Break in Service**.

Ask the retiree how long they've been retired.

180 Days Required!

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

Exception: If the Board of Directors has certified that the reemployment is necessary to fill a critically needed position, the break in service can be reduced to **90-days** if the employee retired younger than age 60. If the employee retired at age 60 or above, the employee can return immediately after the appointment is approved.

Exception: 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 age at time or length of their break in service.

3

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

If the retiree satisfies the break in service requirement, then both the employer and the retiree must complete a certification form. There are separate forms for general and safety retirees. The forms provide more details on the hiring rules and the terms of post-retirement service. Keep in mind that the hourly rate of pay for the retiree must be within the salary range of employees performing comparable duties. Additionally, the retiree cannot provide more than 960 hours of service during each fiscal year.



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