



CERTIFICATION FOR POST-RETIREMENT EMPLOYMENT

**FORM
213**
(Rev. 2026)

Purpose of the form: Use this form to certify eligibility to return to work as a retiree without reinstatement in CCCERA at least 10 business days prior to the first date of post-retirement employment. Please contact CCCERA if you have any questions.

Instructions: Complete form in blue/black ink and return to CCCERA. Submit original document only; fax/email copies will not be accepted. Employers must send a copy of this completed certificate to the address below; please save the original for your records.

Special instructions if you are employing a contract employee or independent contractor: When a CCCERA retiree is being employed as a contract employee or independent contractor, you must fill out this form and provide a copy of the contract. You must complete this form even if you consider the retiree an independent contractor, because legal restrictions may still apply, depending on the circumstances of employment. If your agency has a form or documents used to determine independent contractor status (e.g. Contra Costa County's "Common Law Questionnaire and Certification Form" M-20), please submit that to CCCERA.

Member Information		
Full Name		Last 4 of Social Security Number
Street or P.O. Box	Apt. #	Employee # (if assigned)
City	State	Zip Code
Daytime Phone Number (with area code)		Work Phone Number (with area code)
Date of Retirement – mm/dd/yyyy	Expected Date of Reemployment – mm/dd/yyyy	Expected Break in Service*

* The Expected Break in Service is the number of calendar days between the Date of Retirement and the Expected Date of Reemployment.

Name of Employer Prior to Retirement	
Title of Position Prior to Retirement	Employee #
Name of Employer as a Working Retiree	
Title of Position as a Working Retiree	Employee #
Description of Position as Working Retiree	
Compensation Rate as Working Retiree	Estimated Hours per fiscal year as Working Retiree
Indicate the nature of the employment relationship (select only one): <input type="checkbox"/> Direct Hire <input type="checkbox"/> Hired through Staffing/Temp Agency or Other Third-Party <input type="checkbox"/> Independent Contractor, Contractor or Sub-Contractor (please attach copy of contract, as indicated in the instruction above)	



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Part A: Break in Service Information (to be completed by retiree)

1. Did you or will you receive any unemployment insurance compensation within the 12 months prior to the expected date of reemployment?
 Yes (**STOP** – you are not eligible for this kind of reemployment at this time; notify hiring department)
 No (Continue to question 2)
2. Were you given any retirement incentive (e.g., a "golden handshake" such as an additional year of service) upon retirement?
 Yes (Continue to question 3)
 No (Skip to question 4)
3. If you answered 'Yes' to question 2, is your Expected Break in Service at least 180 days?
 Yes (Continue to question 4)
 No (**STOP** – you are not eligible for this kind of reemployment at this time; notify hiring department)
4. Were you at least CCCERA Normal Retirement Age (age 50 for Legacy Safety and age 55 for Legacy General; age 57 for PEPRA Safety and age 67 for PEPRA General) on your Date of Retirement?
 Yes
 No
5. If you are under age 59 ½, did you have a bona fide separation of service from your employer, which means:
 - (a) Prior to retirement you had no prearrangement with your employer to return to work after retirement, and
 - (b) Your break in service will be at least 90 days (or circumstances changed after retirement that caused you to return to work). Yes
 No (If you answered "No" to questions 4 and 5, CCCERA must suspend your retirement allowance upon your reemployment; notify hiring department)



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Part B: Terms of Post-Retirement Service (to be signed by retiree)

I understand the following statements:

- **10% Additional Tax on Early Retirement Payments.** I understand that if I am under age 59 ½ and did not have a bona fide separation of service (see Part A question 5), my retirement allowance will be subject to a 10% additional tax under Internal Revenue Code Section 72(t), and a 2.5% additional California state tax under California Tax Code 17085(c)(1), until I have a bona fide separation from service or attain age 59 ½
- **Limit of 960 hours of employment per fiscal year.** Post-retirement employment shall not exceed a total of 960 hours each fiscal year for all service to any CCCERA employer.
- **Limits on hourly rate of pay.** The rate of pay for the employment shall not be less than the minimum hourly rate nor greater than the maximum hourly rate as set forth on a published pay schedule for other employees performing comparable duties.
- **No service credit or other retirement benefits.** The employee will not acquire any service credit or retirement benefits under such reemployment without reinstatement to active service and suspension of retirement benefits.
- **Monetary fines related to the violation of rules for post-retirement employment.** I understand that violations of the rules related to port-retirement employment (including but not limited to the items listed above) can have serious financial consequences for me as a CCCERA retiree. As of January 1, 2025, if I am found to be in violation of applicable law, I must reimburse CCCERA for any retirement allowance received during the period of violation, plus interest. Additionally, I must pay the retirement system an amount of money equal to the employee contributions that would otherwise have been paid, plus interest, for the period of time I was employed in violation of these provisions, and (if applicable) I must pay reimbursement for reasonable administrative expenses incurred by CCCERA. (California Gov. Code Sec. 7522.56.)

I certify that my answers to the questions in Part A are true and correct to the best of my knowledge. I also understand that my reemployment must be in compliance with the terms of Post-Retirement Service.

Member Signature

Date – mm/dd/yyyy



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Part C: Determination of Eligibility (to be completed and signed by employer)

Name of CCCERA Employer:

1. Did the retiree answer 'Yes' to question 1 in Part A?

- Yes** (Retiree is not eligible for this kind of reemployment at this time; check 'No' on the Determination of Eligibility below)
- No** (Continue to question 2)

2. Is the retiree's Expected Break in Service at least 180 days?

- Yes** (Retiree is eligible for reemployment; check 'Yes' on the Determination of Eligibility below)
- No** (Continue to question 3)

3. Is the retiree eligible for one of the two exceptions to the 180-day waiting period listed below?

- Yes, exception _____ (1 or 4)*** (Continue to question 4)
- No** (Retiree is not eligible for this kind of reemployment at this time; check 'No' on the Determination of Eligibility below)

4. Did the retiree answer 'No' to questions 4 and 5 in Part A?

- Yes** (Retiree must reinstate as an active member of CCCERA upon reemployment; check 'No' on the Determination of Eligibility below)
- No** (Retiree is eligible for reemployment; check 'Yes' on the Determination of Eligibility below)

Determination of Eligibility: Based on the information provided by the retiree, the retiree is eligible for post-retirement employment on or after the Expected Date of Reemployment indicated on the front of this form.

- Yes, the retiree is eligible for reemployment**
- No, the retiree is not eligible for this kind of reemployment at this time**

I further understand that reemployment must be in compliance with the Terms of Post-Retirement Service listed in Part B. Additionally, I understand that violations of the rules related to post-retirement employment can have serious financial consequences for both the employer and the retiree.

Effective January 1, 2025, if an employer employs a retired member in violation of CERL and PEPRA, the employer is required to pay the retirement system an amount of money equal to the employer contributions that would otherwise have been paid, plus interest, for the period of time that the member was employed in violation of these provisions, and (if applicable) to contribute toward reimbursement for reasonable administrative expenses of the system.

Employers that fail to reinstate into membership retired members that are in violation of CERL and PEPRA, within 30 days of the effective date of hire may be assessed \$200 per month per member until the member is enrolled. Employers are also required by law to report to CCCERA the pay rate and number of hours worked of a retired member employed in any capacity, without reinstatement. Employers that fail to provide the required reports to CCCERA may be assessed \$200 per month per member fee. Employers must also establish internal controls to alert retirees and the appropriate employer staff (e.g. management staff or the retiree's supervisor) when the retiree is approaching within 80 hours of the 960-hour limitation.

Employer Representative Signature	Date – mm/dd/yyyy
Employer Representative Name and Title (please print)	Phone

- * Under the Government Code, there are two exceptions to the 180-day waiting period that may apply to CCCERA retirees:
- **Exception 1: 7522.56(f)(1)** The employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting. The appointment may not be placed on a consent calendar.
 - **Exception 4: 7522.56(f)(4)** The retiree is a public safety officer or firefighter hired to perform a function or functions regularly performed by a public safety officer or firefighter.