

Many retirees decide after retirement that they would like to return to work. If you desire to re-enter the workforce, you need to be aware of the rules and laws that govern where and when you may work.

Working for a Non-MCERA Employer

You can work for any employer that is not a plan sponsor without affecting your MCERA benefit. This means that as long as your employer is not Mendocino County, Mendocino County Superior Court, or the Russian River Cemetery District, then you can work for that employer without any restrictions and continue to receive your full retirement benefit.

Working for a MCERA Employer

You may work for an employer who is a MCERA plan sponsor; however, there are specific rules you must follow in order to comply with federal and California laws.

- **You Must Not Have a Prearranged Agreement to Return to Work**

A member who retires cannot have a prearranged agreement (either written or oral) to return to work for the employer after retirement, regardless of the length of the break in service.

- **180-Day Break in Service**

General Members may not return to work for an MCERA plan sponsor for 180 days following their retirement. This restriction also applies to working as an independent contractor, consultant, contract employee or working through a third-party employer. The only exception occurs when the position must be filled during an emergency in order to prevent work stoppage of public business or because the retired person has skills needed to perform work of limited duration. The hiring must be approved by the Board of Supervisors or the plan sponsor's governing body.

Safety Members are generally exempt from the 180-day requirement if returning to work in a public safety officer or firefighter position.

IRS rules require that any member who has not attained the age of 62 (or age 50 for safety members) prior to retirement must have a break of at least 60 days before returning to employment with the County or any employer participating in MCERA.

- **960 Hour Limit per Fiscal Year**

You may return to work as an extra-help employee and continue to receive your retirement benefits but you are limited to a maximum of 960 hours during each fiscal year.

- **Pay Requirement**

Your pay rate must be within the range paid by the employer to other employees performing comparable duties.

- **Unemployment Insurance**

You must certify in writing to the employer that you did not receive unemployment insurance compensation arising from employment with one of MCERA's plan sponsors during the 12 months prior to your appointment to the position.

- **Disabled Members**

There are a number of restrictions that apply to MCERA members who have retired with a disability. Please contact MCERA for information regarding a return to work at 707-463-4328.

- **Social Security**

Working after retirement may affect your Social Security benefit. For additional information, please see the Social Security webpage, “[What happens if I work and get Social Security retirement benefits?](#)”

Following these guidelines will ensure that you stay in compliance with the law. If you have additional questions or would like more information about your specific situation, please contact MCERA at 707-467-6018.