



# RETIREE REINSTATEMENT TO ACTIVE MEMBERSHIP

**FORM 212**  
(Rev. 2019)

**Purpose of the Form:** Use this form to suspend your retirement and reinstate as an active CCCERA member under Gov. Code Section 31680.4.

### Instructions

- Complete the form in blue or black ink.
- Retiree — Complete Section 1, sign, and give it to your new employer.
- Employer — Complete Section 2 and send to the Retirement Office.

### To be Eligible

- You must be receiving a service retirement benefit from CCCERA, and
- Your retirement benefit **cannot** be a disability benefit, and
- You must have an offer of a job by either Contra Costa County or by one of CCCERA's participating districts.
- Your new job must qualify for membership in CCCERA.

Section 1 - To be completed by the Retiree		
I hereby apply for reinstatement as an active member of the Contra Costa County Employees' Retirement Association. I certify I am not incapacitated for the duties of the new job. I understand that upon approval of this application:		
My monthly retirement benefit will stop <u>effective on the date of my re-employment</u> , and I will return to CCCERA any benefits I received to which I am not entitled, I will begin to make contributions into the system, and my contributions will be based on my present age, <u>effective with the first of the month following my re-employment</u> .		
Full Name	Social Security #	Employee #
Member Signature		Date - mm/dd/yyyy

Section 2 - To be completed by the Department or Special District		
I request the above named applicant be reinstated to active membership in CCCERA. I certify that a job has been offered to the applicant as indicated below.		
Job Title	Re-Hire Date - mm/dd/yyyy	
Employer	Department	
Appointing Authority Name	Appointing Authority Title	
Appointing Authority Signature		Date - mm/dd/yyyy

Section 3 - To be completed by the Retirement Office		
<input type="checkbox"/> Approved  <input type="checkbox"/> Denied	Retirement CEO Signature	Date - mm/dd/yyyy
	Date of Membership - mm/dd/yyyy	Tier  New Age at Entry

**NOTE: The Retirement Office reserves the right to require a court order if any or part of the retiree's present benefit is being paid to another person under a child support order or a family court order or agreement.**



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## Eligibility

**Q. What is reinstatement?**

A. Reinstatement allows a CCCERA retiree to return to work, earn additional service credits and re-retire later.

**Q. Who is eligible?**

A. Anyone who is a retired member and not retired due to disability, *provided* they are medically able to perform the job.

## The Process

**Q. How do I return to work?**

A. First, you apply for a job with either the County or one of the Special Districts that participate in the system. For this law to affect you, the job must be one that is normally covered by the system (i.e., permanent and not less than 20 hours per week).

Next, you have to be offered the job.

Third, you fill out an **Application for Retiree Reinstatement to Active Membership**. On that form, you will certify you are medically capable of performing the duties of the job, and that you understand **your retirement benefit will be stopped** while you are reemployed.

Finally, your prospective employer signs the form and sends it to our office for approval.

**Q. Where do I get one of these application forms?**

A. If the form is not attached, call the Retirement Office. We will provide one for you.

**Q. What happens when you approve this application?**

A. We'll stop your retirement benefit. You will start making contributions into the System again, and you will earn additional service credit.

**Q. What if I forgot to file that application and I am already on the job?**

A. If your application is filed late, but it is approved, you'll need to repay the Retirement System for any pension checks you received and should not have. We'll also collect any contributions which should have been paid but were not.

## Once You Are Reemployed

**Q. How will my contributions be computed?**

A. We will use your present age as your "Age at Entry."

**Q. What retirement category (Tier) will I be placed in?**

A. If you were never a member prior to January 1, 2013, you will be placed in either Tier 4 or 5 or Safety Tier D or E. If you were a member prior to January 1, 2013, you will be placed in either Tier 1 or 3 or Safety Tier A or C.

**Q. Once I'm back on the payroll, can I purchase any prior service or redeposit any amounts I may have withdrawn before my original retirement?**

A. You can only purchase service time that occurred after your original retirement date. This could be the partial \_\_\_\_\_ month you worked before again being covered by the system, or any leave of absence time after your return to work, for example. You may not purchase time prior to your original retirement date.

### When You Re-Retire

**Q. *What happens when I decide to retire again?***

- A. You'll get two benefits, added together.
- a. The first benefit will be the one you were getting before, but we'll increase it with any cost of living increases (COLA) that may have been granted to other retirees while you were re-employed.
  - b. The second benefit will be computed on the service and salary you earned after you came back to work.

**Q. *I retired originally under an early retirement incentive program (the "Golden Handshake" under Gov. Code §31641.04). Does that affect how much I get when I re-retire?***

- A. Yes. If you retired under an early retirement arrangement, you will forfeit the part of your pension that was due to this arrangement. For example, if you received two extra years of service credit by taking a "Golden Handshake," offer, those two extra years would be forfeited in figuring your pension when you retire again.

**Q. *Can I change the Option I selected when I retired the first time?***

- A. Your original retirement benefit cannot be changed as to Option selected.

**Q. *What about the second benefit I receive because of my extra service?***

- A. You can choose any Option you wish, or name a different beneficiary than who you named for your original benefit. This second benefit is treated as though it is a brand new retirement benefit.

**Q. *Can I take a refund of my account?***

- A. No.

### Disability Benefits

**Q. *What if I become disabled while I'm re-employed?***

- A. Eligibility will be based on the service you earned since your return to work. We cannot use your previous service to qualify you for a disability benefit. If your disability benefit is approved, it'll be computed based on your salary and service since return to work, and paid along with your original retirement benefit, the same as described above.

### Death Benefits

**Q. *What happens if I should die while I'm re-employed?***

- A. We'll pay any death benefit due based on your original retirement benefit just as though you were still retired on the day you died. We'll also pay a death benefit based on your added service just the same as any other member who dies in active service.

Health Insurance	
<b>Q.</b>	<b><i>What happens to my health insurance if I return to work?</i></b>
A.	You will need to contact the Benefits Service Unit, Human Resources at (925) 335-1740.
<b>Q.</b>	<b><i>I'm covered by Medicare. Will my health insurance premiums go up if I return to work?</i></b>
A.	You will need to contact the Benefits Service Unit, Human Resources at (925) 335-1740.
Special Cases	
<b>Q.</b>	<b><i>I'm a widow receiving two pensions. One is a continuation of my husband's pension and the other is because of my own service record. How will a return to work affect my two pensions?</i></b>
A.	Only the pension paid because of your own employment is stopped when you return to work. The pension you're getting from your husband's record will continue to you even while you're back at work.
<b>Q.</b>	<b><i>Part of my monthly pension check is being sent to someone other than me. How will a return to work affect this part of my pension?</i></b>
A.	The law provides that your pension stops when you again become a contributing member of the System. This means that even the part of your pension paid to someone else will stop. Because this may result in an action contrary to what a divorce order or family support order intended, we will ordinarily seek guidance from the court before we'll approve your return to work application. Since this will delay things for you, consider having this paperwork finished ahead of time.