

NEW LAW RESTORES FULL SOCIAL SECURITY BENEFITS FOR PUBLIC PENSION RETIREES

On January 5, 2025, then-President Joe Biden signed into law the Social Security Fairness Act, a law which eliminates the Social Security Governmental Pension Offset (GPO) and the Windfall Elimination Provision (WEP), two federal rules that had reduced Social Security payments for the more than 3.2 million workers eligible for public pensions based on work not covered by Social Security. The enactment of this law will allow retirees participating in public pension systems to receive their full Social Security benefits.

The law is effective for benefits payable after December 2023, but the Social Security Administration (SSA) has indicated that it could take more than a year for some beneficiaries to see an adjustment in benefits and retroactive payments.

Employers can find more information about the Social Security Fairness Act at <https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html>.

Under the heading “What should people do now that the Social Security Fairness Act is law?” SSA provides the following information:

Because the GPO could reduce or eliminate spouses' or surviving spouses' Social Security benefits, some non-covered pension recipients may have never applied for benefits.

If you never applied for spouses' or surviving spouses' benefits:

You may need to file an application. The date of your application might affect when your benefits begin. Filing sooner might help you get a higher benefit amount.

- The most convenient way to apply for **retirement or spouses' benefits** is online at www.ssa.gov/apply. The online application will still collect pension information until the application is changed; however, SSA will not offset the benefit.
- The **survivor benefit** application is not available online.
- People who cannot apply online for benefits should call 1-800-772-1213 Monday through Friday 8:00 a.m. to 7:00 p.m. to learn other ways to apply.

If you are not sure whether you ever applied for spouses' or surviving spouses' benefits:

You may need to file an application. The date of your application might affect when your benefits begin. Filing sooner might help you get a higher benefit amount.

If you are entitled to spouses' or surviving spouses' benefits, and your benefits are currently being reduced or eliminated by GPO; OR if you are entitled to retired or disabled workers' benefits, and your benefits are currently being reduced by WEP:

Consider reviewing the mailing address and/or direct deposit information that SSA has on file for you. This will allow SSA to adjust your benefits as quickly as possible. Generally, no other actions are needed at this time.

The easiest way for most beneficiaries to update their address or direct deposit information with SSA, if needed, is online with a personal *my* Social Security account. There is no need to call or visit SSA. Visit www.ssa.gov/myaccount to sign in or create an account.

Accretive is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities, and liabilities, including the interpretation of any statute or regulation, or its application to the clients' business activities.