

# Social Security Fairness Act

On January 5, 2025, the Social Security Fairness Act, HR 82, was signed into law. It is estimated that 3.2 million people received a reduction or completely eliminated their Social Security benefits from the Windfall Elimination Provision (WEP) or the Government Pension Offset (GPO). This law repealed these reduction calculations for individuals receiving a pension based on work not covered by Social Security (a non-covered pension) because they did not pay Social Security (FICA) taxes.

**This law will increase benefits for certain types of workers, retroactive to January of 2024. Individuals potentially impacted include:**

- Teachers, firefighters, and police officers in many states
- Federal employees covered by the Civil Service Retirement System
- People whose work had been covered by a foreign social security system

## Know the difference

WEP can affect your Social Security retirement or disability benefit if you receive a pension based on work not covered by Social Security. This may include federal, state, or local government employees. Any work for an employer who doesn't withhold FICA taxes from your salary can reduce your Social Security worker's benefits. This is a complex calculation based off your years of substantial earnings paying FICA tax, which is beyond the scope of this announcement. **The maximum benefit reduction in 2024 was \$587 and for 2025 will be \$613.**

GPO is a reduction affecting a spousal or survivor Social Security benefit. If you received a retirement or disability pension from a federal, state, or local government based on your own work for which you didn't pay FICA tax, your spousal or survivor benefit may be reduced. **This calculation is simply a reduction of two-thirds of your government pension amount. This could completely eliminate any spousal or survivor benefit and could be over \$1,000 in a reduction amount.**

## Action steps

Talk to your financial professional about your personal impact from either WEP or GPO reductions.

If you were affected by WEP and are already receiving a Social Security retirement benefit, the Social Security Administration (SSA) recommends you review your mailing address and/or direct deposit information that SSA has on file. Generally, no further actions are needed at this time.

If you never applied for retirement, spousal, or survivor benefits because of WEP or GPO, you may need to file an application. SSA indicates the most convenient way to file for a retirement or spousal benefit is online at [www.ssa.gov/apply](http://www.ssa.gov/apply). Survivor benefit applications cannot be made online. You can also call to make an application over the phone for people who have not previously applied for either retirement, spousal, or survivor benefits.

## Frequently asked questions

### **When will I see an increase to my benefit checks?**

SSA is still finalizing the details on how it will implement this new law. It does not currently provide an estimated time frame, but you can continue to monitor SSA's website, <https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html>. SSA has indicated much of the work may need to be done manually on a case-by-case basis and anticipates it may take more than a year to adjust benefits and pay all retroactive benefits.

### **Will every teacher, firefighter, police officer, or public working receive a benefit increase?**

Not necessarily. SSA estimates 72% of state and local public employees work in Social Security-covered employment where they pay FICA taxes and are not affected by WEP or GPO. Since these individuals weren't affected by the reductions, they will not receive an increase in their benefit amounts.

### **How much could an individual's benefit increase by?**

The impact of this law will vary greatly depending on personal circumstances. Factors such as the type of Social Security benefit received and the amount of the individual's pension are necessary to consider. Some individual's benefits will increase significantly, over \$1,000, while others may increase slightly.

### **Why did I receive a request from SSA regarding my pension amount?**

SSA may need to verify your non-covered pension amount to ensure you receive the correct amount for the months during which this law repealed WEP and GPO reductions.

### **Should I be concerned about scams due to the repeal of WEP and GPO?**

Yes. SSA will never ask or require you to pay for assistance or to have your benefits started, increased, or paid retroactively. Hang up or do not click or respond to any communications offering to increase or expedite your benefits. You can learn more about Social Security-related scams at [www.ssa.gov/scams](http://www.ssa.gov/scams).

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