

SOCIAL SECURITY FAIRNESS ACT 2024



In December 2024, Congress repealed the **Windfall Elimination Provision (WEP)** and the **Government Pension Offset (GPO)**. On January 5, 2025, President Biden signed it into law with the **Social Security Fairness Act**.

WEP and GPO affected certain state and federal employees who didn't pay into Social Security. To be specific, it affected roughly 2.8 million government workers.¹

WHAT'S WEP?

WEP affected government employees who had a private sector job where they paid into Social Security, making them eligible for Social Security benefits, but then took a government job where they didn't pay into Social Security. The WEP would reduce the Social Security payment for these government employees once they retired and turn on their Social Security benefits and government pension.

WHAT'S GPO?

GPO affected the same government employees regarding receiving spousal or survivor benefits from their spouse. Because of the size of some pensions, it would eliminate the ability to receive these benefits.

WHAT CAN THESE GOVERNMENT EMPLOYEES EXPECT MOVING FORWARD?

Those still working who haven't started any Social Security benefits will receive their full benefits once they retire and will no longer have to deal with the reduction of those benefits because of WEP.

In addition, those eligible for spousal and survivor benefits from their spouse will receive those benefits without any reduction from GPO.

¹ <https://www.npr.org/2025/01/06/nx-s1-5249689/social-security-fairness-act-biden-signed>

WHAT ABOUT GOVERNMENT EMPLOYEES WHO HAVE ALREADY RETIRED AND ARE TAKING THEIR SOCIAL SECURITY BENEFITS?

Due to the way this law was written, those receiving their own Social Security benefits at a reduced amount because of WEP will get retroactive payments back to January 2024. So, they'll receive a lump sum deposit to cover the amount they should have received for 2024.

Moving forward, they'll also start receiving the Social Security benefit they should have been receiving all along without the WEP reduction.

WHAT ABOUT THOSE WHO NEVER RECEIVED THE SURVIVOR BENEFITS AFTER THEIR SPOUSE PASSED AWAY BECAUSE THEIR PENSION WAS TOO LARGE?

Those who have lost a spouse and haven't been receiving survivor benefits, or those who have been getting a reduced benefit because of GPO, will start receiving the full amount. Those who would have been eligible in 2024 will also get a lump sum retroactive payment back to January 2024.

WHAT CAN WE EXPECT FROM THE TRUMP TRANSITION?

This information can be a lot to digest. However, remember that roughly 2.8 million people will be affected, and we're referring to a government agency that'll be transitioning to a new administration, so it'll take some time to get everything sorted and paid out.

The Social Security Administration has not currently given a timeline for this to be completed.

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