

# FAQ

## GPO/WEP HAS BEEN REPEALED! WHAT HAPPENS NEXT?

### What is GPO/WEP?

- GPO = Government Pension Offset – impacts access to spousal benefits
- WEP = Windfall Elimination Plan – impacts access to wage earner benefits
- Created by the Social Security Reform Act of 1983
- Created “offsets” of benefits due to members receiving a government-funded pension. CalSTRS and CalPERS both fall into this category.

### How were the offsets repealed?

HR 82 passed the House in November 2024 and the Senate in December 2024. President Biden signed it into law on January 5, 2025.

### How does the repeal of the offsets impact me?

In short, you are now eligible for all Social Security benefits you may have earned as a wage earner and/or a spouse.

### When does this take effect?

- The law states for any payments due after December 2023.
- The **Social Security Administration ("SSA")** has not determined when corrected payments will commence.
- It is unclear how this will be applied to those who have never applied for benefits and how the SSA will interpret the meaning of this sentence.

### What does the SSA say about the new law? (as of 1/06/2025)

“The Social Security Fairness Act, HR 82, concerning the Windfall Elimination Provision and Government Pension Offset, was signed into law on January 5, 2025. Upon implementation, the Social Security Fairness Act eliminates the reduction of Social Security benefits while entitled to public pensions from work not covered by Social Security. The Social Security Administration is evaluating how to implement the Act. We will provide more information as soon as available.”

<https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html>

### What to do if I have previously filed for Social Security benefits and they are partially or completely offset?

“At this time, you do not need to take any action except to verify that [SSA has] your current mailing address and direct deposit information if it has recently changed. Most people can do this online with their personal my Social Security account without calling or visiting Social Security. Visit [www.ssa.gov/myaccount](https://www.ssa.gov/myaccount) to sign in or create your account.”

<https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html>

## What to do if I have not previously filed for Social Security benefits?

If you are receiving a public pension and are interested in filing for benefits, you may file online at [ssa.gov/apply](https://ssa.gov/apply) or schedule an appointment.

## How do I become eligible for Social Security benefits?

- You must earn at least 40 Social Security credits to be eligible for Social Security benefits. You earn credits when you work and pay Social Security taxes.
- The number of credits does not affect the amount of benefits you receive. We use the number of credits you've earned to determine your eligibility for retirement or disability benefits, Medicare, and your family's eligibility for survivors benefits.
- SSA cannot pay benefits to you if you don't have enough credits.

## How are credits earned?

- Since 1978, you can earn up to a maximum of four credits per year.
- Credits are based on your total wages and self-employment income for the year. You might work all year to earn four credits, or you might earn enough for all four in less time.
- The amount of earnings it takes to earn a credit may change each year. In 2025, you earn one Social Security and Medicare credit for every \$1,810 in covered earnings each year. You must earn \$7,240 to get the maximum four credits for the year.
- During your lifetime, you might earn more credits than the minimum number you need to be eligible for benefits. These extra credits do not increase your benefit amount. The average of your earnings over your working years, not the total number of credits you earn, determines how much your monthly payment will be when you receive benefits.

## Who is eligible for spousal benefits?

- You may be eligible if you've been married at least one year and are:
  - Age 62 and older, or
  - Caring for a child age 15 and younger, or
  - Caring for a child of any age who has a disability.
- Ex-spouses who were married for at least 10 years, as well as some valid non-marital legal relationships, may be eligible.

## RESOURCES

**SSA Social Security Fairness Updates:**  
[Who is eligible for spousal benefits?](#)

**SSA How You Earn Credits:**  
[Who is eligible for spousal benefits?](#)

**NEA on GPO/WEP repeal:**  
[Who is eligible for spousal benefits?](#)

***For more information, please contact your CTA Primary Contact Staff, the Social Security Administration, or attend one of CTA's retirement seminars.***