

# PERAC

PERAC MEMO # 11/2025

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

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## MEMORANDUM

TO: All Retirement Boards

FROM: Bill Keefe, Executive Director *BK*

RE: Updated Form SSA-1945: Statement Concerning Your Employment in a Job Not Covered by Social Security

DATE: March 21, 2025

On January 7, 2025, PERAC issued Memorandum #2 of 2025 ("Memo #2/2025") concerning the repeal of the Windall Elimination Provision ("WEP") and Government Pension Offset ("GPO") provisions of Social Security through The Social Security Fairness Act.

In Memo #2/2025, PERAC advised that retirement boards should pause on requiring the completion of Form SSA-1945 until the Social Security Administration ("SSA") released further guidance. This was because the older Form SSA-1945 advised individuals who were employed in a non-Social Security covered position that they might be potentially impacted by the WEP and GPO, which is no longer the case.

Effective March 2025, the SSA has released a new Form SSA-1945 for employees to sign acknowledging that their position is not covered by Social Security. This new form addresses the elimination of the WEP and GPO and provides better guidance for employees. Pursuant to Federal Law and PERAC Memoranda #45 of 2004 and #5 of 2006, the updated Form SSA-1945 should now be given to all new employees by the employer units. The new form is attached to this Memo and can be found at: <https://www.ssa.gov/forms/ssa-1945.pdf>.

Retirement boards should follow the same exact process as before regarding the use of the form as nothing procedurally has changed. A signed Form SSA-1945 should be obtained from the employer and placed in each new member's file with the retirement board. Forms should be obtained from the members who did not file them with the retirement board during the period of the pause.

We trust the foregoing will be of assistance. If you have any further questions, please feel free to contact General Counsel Judith Corrigan at (617) 591-8904 or at [judith.a.corrigan@mass.gov](mailto:judith.a.corrigan@mass.gov).

Attachment



## Statement Concerning Your Employment in a Job Not Covered by Social Security

Employee Name: \_\_\_\_\_

Employee ID#: \_\_\_\_\_

Employer Name: \_\_\_\_\_

Employer ID#: \_\_\_\_\_

Your earnings from this job are not covered under Social Security (i.e., you will not pay Social Security taxes). This means that you will not earn credits for Social Security retirement or disability benefits in this job. If you retire or become disabled, and you are eligible for a Social Security benefit based on other work, your earnings from this job will not be used to compute your Social Security benefit. In addition, we will not consider these non-covered earnings for the future potential calculation of survivor benefits based on your earnings. Your earnings from this job are subject to Medicare taxes and will count for purposes of the Medicare program. For information on how you may qualify for Social Security benefits, visit [www.ssa.gov](http://www.ssa.gov).

### For More Information

Social Security publications and additional information are available at [www.ssa.gov](http://www.ssa.gov). You may also call toll free 1-800-772-1213, or for the deaf or hard of hearing call the TTY number 1-800-325-0778 or contact your local Social Security office.

I certify that I have received Form SSA-1945 and understand that my earnings from this job are not covered under Social Security and will not be used to determine eligibility to or the amount of my potential future Social Security Benefits.

Signature of Employee: \_\_\_\_\_

Date: \_\_\_\_\_

## **Information about Social Security Form SSA-1945 Statement Concerning Your Employment in a Job Not Covered by Social Security**

The Social Security Protection Act of 2004, Pub. L. No. 108-203, Section 419 requires State and local government employers to provide a statement to employees hired January 1, 2005, or later in a job not covered under Social Security. Form SSA-1945, **Statement Concerning Your Employment in a Job Not Covered by Social Security**, is the document that employers must use to meet the requirements of the law.

While the earlier version of the SSA-1945 discussed the effect of the Windfall Elimination Provision and/or Government Pension Offset on an employee's potential future benefits, the Social Security Fairness Act (SSFA) of 2023 enacted on January 5, 2025, eliminated the reduction of Social Security benefits under the Windfall Elimination Provision and/or Government Pension Offset for individuals entitled to certain pensions from work not covered by Social Security, starting January 2024. However, this did not remove the requirement for State and local government employers to provide a statement to employees hired January 1, 2005, or later in jobs not covered under Social Security. This version of SSA-1945 explains to an employee that non-covered earnings will not be used to determine eligibility to or calculate the amount of potential future benefits.

Employers must:

- Get the employee's signature on the form
- Give the signed statement and information page to the employee prior to the start of employment
- Submit a copy of the signed form to the pension paying agency.

Social Security will not be setting any additional guidelines for the use of this form.

A fillable, downloadable version of the SSA-1945 is available online at the Social Security website, [www.ssa.gov/online/ssa-1945.pdf](http://www.ssa.gov/online/ssa-1945.pdf).