



UESF

United Educators of San Francisco
AFT/CFT, AFL-CIO • NEA/CTA

2310 Mason Street ■ San Francisco, CA 94133 ■ 415 956-8373 ■ Fax 415 956-8374 ■ www.uesf.org

The United Educators of San Francisco (UESF), in coordination with our legal team, has prepared this information sheet to help SFUSD Paraeducators who were participants in the PARS Retirement Program to understand their Social Security benefits. Some of you may have found that the Social Security Administration has reduced your Social Security retirement benefits due to the Windfall Elimination Provision or the Government Pension Offset.

What is the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO)?

The WEP and GPO are a part of the Social Security laws. These laws require the Social Security Administration to reduce Social Security retirement benefits (or spouse's/widow's benefits) if people worked for a government employer that did not withhold Social Security taxes. Public school districts, like San Francisco Unified School District (District), fall into that category because the District did not withhold Social Security taxes from employees' wages. According to the Social Security Administration, the purpose of the WEP and GPO is to prevent a government employee from receiving a "windfall" or "double dipping" of retirement benefits. Although UESF does not believe it is fair to apply the WEP and GPO reductions to retired paraeducators, that is how the Social Security Administration currently is applying the law. UESF had hoped that the Social Security Administration would not take this position, but it has.

Why is it being applied to some SFUSD paraeducators?

As you know, PARS was the District's retirement plan until it ended in 2011. Based on what UESF has heard from members who have retired and applied for Social Security benefits, the Social Security Administration is applying the WEP and GPO to reduce the Social Security benefits of paraprofessionals who participated in PARS from 1992 to 2011. Even though the District's participation in PARS ended in 2011, the Social Security Administration treats PARS as a government pension for purposes of applying the WEP and GPO. That is why your Social Security retirement benefits are being reduced.

What can I do now?

If your Social Security retirement benefits are reduced due to the WEP or GPO, you may appeal the decision. CTA's Group Legal Services Program does not offer legal referrals for these appeals. However, you may appeal the decision on your own (a lawyer is not required) or you may seek an attorney or legal services organization to assist you in your appeal, at your own cost. If you decide to appeal, please carefully review all correspondence from the Social Security Administration and pay close attention to the deadline for appealing the reduction in your benefit. For your information we have attached a copy of the instructions issued by Social Security Administration, which are also available at <https://www.ssa.gov/benefits/disability/appeal.html>.



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What about the money I had in PARS?

The money you had in the PARS Retirement Program is not affected by the WEP or GPO. If you have not already rolled over the funds from your PARS accounts into another account, you should contact PARS immediately about your options. Please contact PARS at (800) 540-6369.

If you have rolled over your PARS funds into another account and are not receiving payments from it, you may contact the service provider for that account to find out how you may receive a retirement benefit.

What if I participated in the SFUSD 403(b) plan?

If you have money in a 403(b) account, it is not affected by the WEP or GPO. If you participated in the SFUSD 403(b) plan, please contact the plan administrator, TDS, at (866) 446-1072, and reference the SFUSD FICA 403(b) Alternative Plan, to learn how you may receive a retirement benefit under that plan.