



MSCA and NEA Seek Repeal of Damaging Social Security Provisions

Compiled by Patricia Johnston

The key federal priority for the MSCA and the National Education Association, its national affiliate, is the repeal of two little known amendments to the Social Security Act that have dramatically and unfairly slashed the retirement benefits of our members. Many faculty and librarian members are stunned to find out, after they have accepted employment at a Massachusetts state college, that the Social Security benefits accrued in another occupation or at another college or university will be substantially reduced or lost altogether when they retire with a Massachusetts state pension. (I can speak from experience here!)

The federal government has been no help in informing our membership about this unjust denial of benefits. The statement that many members receive on their birthday projects Social Security benefits without mentioning that these projections will be reduced if the recipient accepts a government pension at retirement.

The NEA has joined an extensive coalition working to reverse the damage to its members' retirements. During the coming year, MSCA members will be asked to take an active role in support of legislation to remedy this devastating situation. In preparation for that campaign, we have devoted a substantial part of this issue of the *MSCA Perspective* to the history and subtleties of the Social Security Act that have a discriminatory impact on our members. This article is drawn directly from NEA's website <www.nea.org>, which is a fabulous resource for practical information, from the Social Security website <www.ssa.gov>, and from conversations with the MTA Government Services staff.

Government Pension Offset (GPO)

Social Security as established in 1935 excluded state and local government employees from coverage because it interpreted such coverage as a violation of the Constitutional ban on federal taxation of state and local governments. This interpretation changed, and between 1955 and 1983 state and local governments could voluntarily join or leave the Social Security program. During this period, public sector employees in 35 states opted to enroll in Social Security. Of the remaining states, twelve—including Massachusetts—chose to remain outside the system, and three others split, with some of their local governments choosing not to join. No changes were possible after 1983.

The Social Security system prohibits "dual entitlement"—that is, receipt of one's own full Social Security and his or her spousal benefits at the same time. In 1977, Congress began treating government pensions, such as those earned by educators, as Social Security benefits. The effect of this change was a dollar for dollar reduction in Social Security survivor benefits for anyone earning a public pension.

Criticism of the dollar for dollar reduction was strong, especially given the unfair distinction between public and private employees, who could collect both a private pension and spousal Social Security benefits. Congress amended the law in 1983, reducing the dollar for dollar reduction to a two-thirds offset. But, as the NEA statement submitted to the U. S. House of Representative Ways and Means Committee notes, "This remedial step. . . falls well short of addressing the continuing inequity between public and private employees."

'Windfall' Elimination Provision (WEP) Replaces One Unintended Consequence With Another

While the GPO affects only spousal benefits, the Social Security benefits that government employees qualified for through their own previous employment in which they contributed to Social Security are reduced by another feature of the law. The Windfall Elimination Provision (WEP) affects how Social Security benefits are calculated if you receive a pension from work not covered by Social Security, such as participation in the Massachusetts state pension system.

The WEP was enacted in 1983 to prevent people with relatively high-compensated government service and relatively low-paying Social Security covered employment from having their Social Security benefits determined under the more favorable formula used for retirees with the lowest Social Security earnings. The purpose was to remove an unintended advantage that the regular Social Security benefit formula provided to persons who also had pensions from non-Social Security-covered employment.

However, the formula could not differentiate between those who worked in low-paid jobs throughout

continued on page 4

FY03 Final Higher Education Budget

Bolded FY03 final budget line items indicate effect of gubernatorial vetoes.

Program	FY02	FY03 Conf Comm	FY03 Final Budget	FY03 \$ Over FY02	FY03 % Over FY02
Central Accounts					
Board of Higher Education	2,384,344	2,062,482	2,062,482	(321,862)	-13.5%
Compact For Education	68,864	61,978	61,978	(6,886)	-10.0%
N.E. Board of Higher Education	500,000	668,004	668,004	168,004	33.6%
Comm College Workforce Train (CC)	2,500,000	900,000	900,000	(1,600,000)	-64.0%
Foster Care Financial Aid	0	1,000,000	1,000,000	1,000,000	
McNair Program	4,431,276	3,931,276	3,931,276	(500,000)	-11.3%
Scholarship Reserve	93,056,268	92,903,455	91,603,455	(1,452,813)	-1.6%
Library Materials	5,000,000	2,400,000	1,200,000	(3,800,000)	-76.0%
Tufts Veterinary	5,325,000	3,662,500	3,662,500	(1,662,500)	-31.2%
Tomorrow's Teachers Program	2,904,780	3,954,280	3,954,280	1,049,500	36.1%
Colleges Health & Welfare	3,182,263	3,182,263	3,182,263	0	0.0%
Subtotal - Central Accounts	119,352,795	114,726,238	112,226,238	(7,126,557)	-6.0%
Subtotal - UMass	464,031,675	454,430,822	450,934,325	(13,097,350)	-2.8%
State Colleges					
Bridgewater	34,902,717	35,843,656	34,903,656	939	0.0%
Fitchburg	26,334,284	26,294,605	26,294,605	(39,679)	-0.2%
Framingham	22,118,430	21,941,929	21,641,929	(476,501)	-2.2%
Mass College of Art	13,934,465	13,791,920	13,791,920	(142,545)	-1.0%
Mass Maritime Academy	11,261,055	11,117,769	11,117,769	(143,286)	-1.3%
Storer Engineering Building	950,000	0	0	(950,000)	-100.0%
Mass College of Liberal Arts	13,179,861	13,024,237	13,024,237	(155,624)	-1.2%
Salem	34,942,413	34,833,776	34,713,376	(229,037)	-0.7%
GTE/Sylvania Property - Salem	782,177	703,959	703,959	(78,218)	-10.0%
Westfield	21,928,010	21,790,081	21,790,081	(137,929)	-0.6%
Worcester	22,179,006	22,013,414	22,013,414	(165,592)	-0.7%
Latino Education Institute	250,000	200,000	200,000	(50,000)	-20.0%
Subtotal - State Colleges	202,762,418	201,555,346	200,194,946	(2,567,472)	-1.3%
Subtotal - Community Colleges	233,657,411	227,238,986	226,964,286	(6,693,125)	-2.9%
Total	1,019,804,299	997,951,392	990,319,795	(29,484,504)	-2.9%

Voter Registration Deadline October 16th

Members who are new to Massachusetts or who have moved recently within the state can register to vote for the fall elections through the website listed below. The governor's race is particularly important for us as we face the next round of negotiations. Log on today and register to vote!

State Elections Division (How do I register to Vote) www.state.ma.us/sec/ele/eleidx.htm.

Chapter presidents (see Page Three) have mail-in registration cards for members to use if they prefer.

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At the State House

This year's budget cycle demonstrated once again the importance and power of members' lobbying efforts in support of the campuses and their employees. Both victories and setbacks occurred for the state colleges in July. Here is a brief summary of the final action taken on several issues of importance to the MSCA membership.

Campus Operating Budgets

Page One of this issue contains a table that shows the final operating budgets of each state college, the central accounts, and the segment accounts for the universities and community colleges. Although the operating budgets did not suffer the cuts expected, support for library acquisitions was decimated and several selective vetoes will make it difficult for the colleges to bring new buildings on-line. Reversions of monies allocated to the campuses remain a possibility throughout this fiscal year, as revenues continue to fall below projected levels.

Contract Funding

The MSCA collective bargaining agreement was funded and signed by the acting governor last December. We anticipate no problems with the implementation of the 3.25% pay increase due October 1st and related monies (professional development, promotions, merit, chairs stipends) to be paid under the final year of our contract. However, the acting governor's vetoes of the remaining higher education contracts, and the Legislature's failure to consider override votes of these vetoes, portends badly for our own negotiations, set to commence in January, 2003.

MSCA Perspective

A publication of the Massachusetts State College Association, the faculty and librarian union for the nine state colleges in Massachusetts. Write to us at: MSCAperspective@salemstate.edu

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85/15 Group Health Insurance Premiums

After the acting governor vetoed the monies needed to continue the 85%/15% split in state employee health insurance premiums, the Legislature was bombarded with calls from MSCA members and other state employees to urge an override vote on this veto. We were successful in this effort — your calls really made the difference. Below is the official roll call vote on this issue; a plus sign (+) means the representative or senator voted to over-

ride the veto, and a minus sign (-) means the representative or senator voted to sustain the veto. Some legislators were absent (A) for this vote; the speaker and the senate president usually do not vote (NV) on matters before the body.

Please take the time to contact your representative and senator and thank them for votes to override the governor's veto and preserve 85/15. This issue is likely to come up again in next year's budget cycle, so appreciation and support for keeping 85/15 should be expressed now. Thank you again for your help on this important issue.

85/15 Vote

House Roll Call Summary

Party		Party		Party	
Asselin, Christopher	D +	Golden, Brian	D +	Owens-Hicks, Shirley	D +
Atkins, Cory	D +	Golden, Thomas	D +	Parente, Marie	D +
Atsalis, Demetrius	D +	Gomes, Shirley	R +	Patrick, Matthew	D +
Ayers, Bruce	D +	Greene, William	D +	Paulsen, Anne	D +
Balser, Ruth	D +	Haddad, Patricia	D +	Pedone, Vincent	D +
Barrios, Jarrett	D +	Hahn, Cele	R +	Petersen, Douglas	D +
Binienda, John	D +	Hall, Geoffrey	D +	Peterson, George	R -
Blumer, Deborah	D +	Hargraves, Robert	R +	Petrolati, Thomas	D +
Bosley, Daniel	D +	Harkins, Lida	D +	Petrucelli, Anthony	D +
Bradley, Garrett	D +	Hill, Bradford	R +	Poirier, Elizabeth	R +
Broadhurst, Arthur	D +	Hillman, Reed	R +	Polito, Karyn	R +
Brown, Scott	R +	Hodgkins, Christopher	D +	Pope, Susan	R +
Bunker, David	D A	Honan, Kevin	D A	Provost, Ruth	D +
Buoniconti, Stephen	D +	Hynes, Frank	D +	Quinn, John	D +
Cabral, Antonio	D +	Jehlen, Patricia	D +	Reinstein, Kathi-Anne	D +
Cahill, Michael	D +	Jones, Bradley	R +	Rivera, Cheryl	D +
Canavan, Christine	D +	Kafka, Louis	D +	Rodrigues, Michael	D +
Candaras, Gale	D +	Kane, Michael	D +	Rogeness, Mary	R +
Caron, Paul	D +	Kaprielian, Rachel	D +	Rogers, George	D +
Carron, Mark	D +	Kaufman, Jay	D +	Rogers, John	D +
Casey, Paul	D +	Keenan, Daniel	D +	Ruane, Michael	D +
Ciampa, Vincent	D +	Kelly, Shaun	R +	Rushing, Byron	D +
Cleven, Carol	R +	Kennedy, Thomas	D +	Santiago, Jose	D +
Connolly, Edward	D +	Khan, Kay	D A	Scaccia, Angelo	D +
Coppola, Michael	R +	Knuuttila, Brian	D +	Simmons, Mary Jane	D A
Correia, Robert	D +	Kocot, Peter	D +	Slattery, John	D +
Creedon, Geraldine	D +	Koczera, Robert	D +	Smizik, Frank I.	D +
Deleo, Robert	D +	Koutoujian, Peter	D A	Speliotis, Theodore	D +
Demacedo, Vinny M.	R +	Kujawaski, Paul	D +	Spellane, Robert	D +
Demakis, Paul	D +	Kulik, Stephen	D +	Spilka, Karen	D +
Dempsey, Brian	D +	Larkin, Peter	D +	Stanley, Harriett	D +
DiMasi, Salvatore	D +	Leary, James B.	D +	Stanley, Thomas	D +
Donato, Paul	D +	LeDuc, Stephen	D +	St. Fleur, Marie	D +
Donovan, Carol	D +	Lepper, John	R -	Story, Ellen	D +
Fagan, James	D +	Lewis, Maryanne	D +	Straus, William	D +
Fallon, Christopher	D +	Linsky, David	D +	Sullivan, David	D +
Falzone, Mark	D +	Locke, John	R +	Sullivan, Joseph	D A
Fennell, Robert	D +	Loscocco, Paul	R +	Swan, Benjamin	D +
Festa, Michael	D +	Malia, Liz	D +	Teahan, Kathy	D +
Finegold, Barry	D +	Mariano, Ronald	D +	Timilty, Walter	D +
Finneran, Thomas*	D +	Marini, Francis	R -	Tirone, Paul	D +
Fitzgerald, Kevin	D +	Marzilli, James	D +	Tobin, Stephen	D +
Flavin, Nancy	D +	Merrigan, John	D +	Toomey, Timothy	D +
Flynn, David	D +	Miceli, James	D +	Torrisi, David	D +
Fox, Gloria	D +	Murphy, Charles	D +	Travis, Philip	D +
Fresolo, John	D +	Murphy, James	D +	Turkington, Eric	D +
Frost, Paul	R +	Murphy, Kevin	D +	Vallee, James	D +
Galvin, William	D +	Nangle, David	D +	Verga, Anthony	D +
Garry, Colleen	D +	Naughton, Harold	D +	Wagner, Joseph	D +
George, Thomas	R +	Nyman, Robert	D +	Walrath, Patricia	D A
Gobi, Anne	D +	O'Brien, Thomas	D +	Walsh, Martin	D +
Goguen, Emile	D +	O'Flaherty, Gene	D +	Wolf, Alice	D +

Senate Roll Call Summary

Party		Party		Party	
Antonioni, Robert	D +	Joyce, Brian	D +	Panagiotakos, Steven	D +
Baddour, Steven	D +	Knapik, Michael	R +	Resor, Pamela	D +
Berry, Frederick	D +	Lees, Brian	R -	Rosenberg, Stanley	D +
Birmingham, Thomas	D NV	Magnani, David	D +	Shannon, Charles	D +
Brewer, Stephen	D +	Mcgee, Thomas	D +	Sprague, Joann	R +
Chandler, Harriette	D +	Melconian, Linda	D +	Tarr, Bruce	R +
Creedon, Robert	D +	Menard, Joan	D +	Tisei, Richard	R +
Creem, Cynthia	D +	Montigny, Mark	D +	Tolman, Steven	D +
Fargo, Susan	D +	Moore, Richard	D +	Travaglini, Robert	D +
Glodis, Guy	D +	Morrissey, Michael	D +	Tucker, Susan	D +
Hart, John	D +	Murray, Therese	D +	Walsh, Marian	D +
Havern, Robert	D +	Nuciforo, Andrea	D -	Wilkerson, Dianne	D +
Hedlund, Robert	R +	O'Leary, Robert	D +		
Jacques, Cheryl	D +	Pacheco, Marc	D +		

In the Association

This academic year brings with it significant changes to the leadership of the state colleges and the faculty/librarian union. Here we highlight several new names and faces from across the state.

Two new chapter presidents were elected during the spring semester: **Peter Hogan** (Fitchburg) and **John Ambacher** (Framingham).

Peter Hogan, Professor of Psychology, has taught at Fitchburg for nineteen years. Raised and educated in England, Peter holds a Ph.D. in Organizational Psychology from the University of Bradford. His scholarly interests are in workplace discipline, interpersonal skill training, and applied motivation; thus, he can tell you exactly why Merit Pay doesn't work!



Peter Hogan

At Fitchburg Peter was chair of the Behavioral Sciences Department for four years. He has been active with the local MSCA chapter, serving a term as Vice President and several years on the Executive Committee. In addition to bargaining the new contract and advocating more state support for the colleges, Peter believes "the main job of the MSCA over the next few years is to connect with a new generation of college teachers. Ultimately we stand or fall based on whether we truly represent all of our members. Why would we expect that they would all automatically be gung ho for a union?"



John Ambacher

John Ambacher, a Professor in the Government Department, became Chapter President at Framingham State College after serving many years as the chapter's vice president and grievance officer. John has been teaching at Framingham since 1968 and was a primary force in developing the major in Government.

He teaches courses in American foreign and domestic politics as well as in international law. In addition to his Ph.D. from Tufts University, John earned a J.D. from the New England School of Law; he helped establish a pre-law concentration in his department and became the pre-law advisor. His outside interest in "living history" developed from a portrait of his great-grandfather, who served in the Union Army in the Civil War. Following this interest, he developed many workshops for K-12 teachers from across New England to help them incorporate "living history" components into their social studies curriculum.

Two new members have joined the MSCA Board of Directors: **Nancy George** (Salem) and **Mark Seiden** (Framingham).

Associate Librarian **Nancy George** is the electronic resources librarian at the Salem State College Library. Prior to joining SSC in 1996, she worked in libraries at Cornell University and Indiana University. Nancy's interests include library technology, information literacy and instruction, and reference services.



Nancy George

At both Cornell and IU, Nancy was elected by her colleagues to represent them on faculty/staff councils. She has also been elected to leadership positions of national and regional professional organizations. Nancy is currently the Salem Chapter secretary and webmaster, and is also the MSCA webmaster. As a MSCA Director, Nancy hopes to represent not only the Salem Chapter membership, but also serve as a voice for MSCA librarians. In addition, she hopes to assist the MSCA in its greatest challenge, state college funding and support.

Mark Seiden, Professor of English, is the new MSCA Director from Framingham. Mark was born

near Yankee Stadium but knew even as a kid to root for the underdog Brooklyn Dodgers. He earned his Ph.D. in English and American Literature from Cornell University in 1967. Since 1977, Mark has been at Framingham State, where he had a key role in developing the college's academic skills center and professional writing program. His current focus is teaching American Literature of the 19th and 20th centuries. In 1995 he published a collection of poems entitled *Poetry Burn*, and this year he published *A Farewell Album for My Parents*, a collection reflecting on his experiences as caregiver to his dying parents between 1995 and 2001.



Mark Seiden

Mark has served as vice president of the Framingham Chapter. He represented Framingham on the ad hoc MSCA Communications Committee in 1998 and is a contributing editor to the *Perspective*.

MSCA has a new representative to the MTA Board of Directors. **Leonard Paolillo**, Professor in the Department of Sociology, Anthropology, and Social Work at the Massachusetts College of Liberal Arts and a former state-wide president of MSCA, has begun a three-year term as a MTA Director. Len's areas of research are crime and delinquency, the law, and social problems. He holds a Ph.D. from Florida State University.

There is a new executive assistant in the MSCA President's office, **Jane F. Fiste** joined the MSCA staff September 3. Jane worked the previous eight years at Jewish Family Services of the North Shore. Jane is an avid golfer and her husband, Jay, is a graduate of Mass. Maritime. Jane replaces **Kathleen Ell** who worked for the MSCA for three and a half years; Kathleen and her family moved to Bradenton, Florida, in July. We thank Kathleen for her years of service to the MSCA.

New College Presidents Appointed

Dr. Mary K. Grant is returning to the Berkshires as MCLA's new president. She graduated from MCLA when it was North Adams State College, in 1983. Most recently, Mary has been the chief academic officer and deputy CEO of UMassOnline.

At Bridgewater State College, **Dr. Dana Mohler-Faria** has begun his initial year of presidency. He has been in the Massachusetts state college system for more than thirty years, most recently as Bridgewater's vice president for administration and finance. He holds a doctorate in higher education administration from UMass-Amherst. The Bridgewater website notes that he is a Cape Cod native, the first person of color to head the College, and the second person of Cape Verdean descent to serve as president of an American institution of higher learning.

Dr. Janelle Ashley is the new president at Worcester State College, the first woman to serve in that position. She has a doctorate in management from the University of North Texas and thirty years of experience in higher education. For 10 years, she was the Vice President for Academic Affairs at Stephen F. Austin State University in Texas.

At Fitchburg State College, Mr. **Michael Rivard** has agreed to serve as the Acting President after the resignation of President Michael Riccards. Mike was previously the treasurer at Fitchburg and will preside over the college during its search for a new president.

Lastly, **Frederick W. Clark, Esq.**, replaces the retiring Bill O'Neill as the new Executive Officer of the state colleges. Fred has many long-time ties to the system. He (and four of his siblings) attended Bridgewater State College before he studied law at Suffolk University Law School. Governors Weld and Celluci appointed him as a Bridgewater trustee, where he served as Vice-Chair for three years and Chair for four years. Fred co-chaired Bridgewater's first ever endowment campaign, raising over \$10,000,000.

Fred was the top congressional and political aide to Congressman Joe Moakley for eighteen years. He credits Moakley with obtaining \$10,000,000 for Bridgewater, the largest federal grant ever given to a state college. He serves as President of the John Joseph Moakley Foundation, which provided over \$150,000 in higher education scholarships this year alone.

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Social Security *continued from page 1*

their careers and other workers who appeared to have been low paid because they worked many years in jobs not covered by Social Security. Thus, under the old law, workers who were employed for only a portion of their careers in jobs covered by Social Security—even highly paid ones—received the advantage of the “weighted” formula.

The WEP formula was intended to remove this advantage for these workers. Essentially, the benefit formula mandates that, rather than calculating a Social Security benefit of 90% of the first \$592 of average monthly earnings, as is the rule for other workers, the factor is reduced to 40% for non-Social Security government employees. To qualify for the full 90% formula, one needs thirty or more years of work that generated “substantial” outside earnings. The formula is described in detail at <www.ssa.gov/pubs/10045.html>.

Instead of protecting retirees at the lowest level of Social Security earnings, the WEP has had an unfair impact by reducing the benefits of people who worked in both private and governmental employment.

The Damage

Hundreds of thousands of teachers and other public school employees, firefighters, police, social workers and other civil servants are being penalized for their public service through reduced retirement benefits. Estimates indicate that 9 out of 10 public employees affected by the GPO lose their entire spousal benefit, even though their deceased spouse paid Social Security taxes for many years. The Congressional Budget Office estimates that the GPO alone reduces benefits for some 300,000 individuals by more than \$3,600 a year. Sadly, because the provisions are not widely known, the pension reductions come as a surprise when affected individuals apply for the benefits they had anticipated when planning their retirement.

For NEA members, the damage is massive. The GPO and WEP affect at least one-third of America's education workforce, concentrated in the fifteen “non-Social Security” states, from Massachusetts to Alaska. Because the GPO follows a person from state to state, individuals everywhere are affected. A faculty member who teaches at a Massachusetts state college for the ten years necessary to become vested, and then moves to a state college in a Social Security state, at retirement will find his/her Social Security benefits offset by the Massachusetts part of his/her pension.

MSCA members who decided to enroll in the Optional Retirement Plan (ORP) instead of the state pension system are not immune. Despite the fact that TIAA-CREF and comparable programs are privately administered, because Massachusetts is not a member of the Social Security system and MSCA members are not contributing the 6%, this pension will be treated as a government pension and recipients will be subject to the GPO and WEP provisions.

NEA believes that, because of the GPO and WEP, “what is widely acknowledged as a national teacher shortage [is] growing to crisis proportions.” The two provisions have a direct impact upon the ability of educational institutions to recruit mid-career professionals. “At the same time that policy-makers are encouraging experienced people to change careers and enter the teaching profession, individuals who have worked in other careers are less likely to want to become teachers if doing so will mean a loss of Social Security benefits they have earned. Some states seeking to entice retired teachers to return to the classroom have found them reluctant to return to teaching because of the impact of the GPO and WEP. In addition, current teachers are increasingly likely to leave the profession to reduce the penalty they will incur upon retirement.”

The Math

The Government Pension Offset (GPO) reduces an individual's Social Security survivor benefits (available to a person whose deceased spouse had earned Social Security benefits) by an amount equal to two-thirds of his/her public pension.

For example, a widowed retired educator has earned \$600 per month from her state retirement plan after

25 years of service. Her deceased husband worked in the private sector and paid into Social Security his entire working life. She normally would be entitled to monthly Social Security survivor benefits of \$850. Because she works in a state where public employees do not participate in the Social Security system, the Government Pension Offset cuts her survivor benefits by two-thirds of her \$600 monthly retirement payment or \$400. Her survivor benefits instead equal \$450—nearly half of the \$850 she would normally receive.

The Windfall Elimination Provision (WEP) changes the formula used to figure benefit amounts, thereby reducing an individual's own Social Security benefits earned while working in a job covered by Social Security. For example, a teacher taught 17 years in one state, then moved to a different state and taught another 14 years. According to Social Security, she earned monthly benefits of \$540 per month for her contributions paid into the Social Security system while she worked in the first state. Because public employees in the second state do not participate in the Social Security system, her actual monthly benefits will be cut \$196 due to the WEP. She will receive \$344 per month from Social Security instead of the \$540 she earned.

Some retirees get hurt by both provisions. Julia, a real Maine teacher, fell victim to WEP which reduces the earned Social Security benefits of an individual who also receives a public pension from a job not covered by Social Security. Julia worked in restaurants for 20 years before she went back to school to become a teacher at the age of 53. She taught for 15 years. The WEP reduced her \$525 Social Security monthly benefit to \$152. Medicare takes \$45. Julia, who gets a small Maine state pension, is left with just \$431 after other essential deductions. Her husband receives \$700 a month as a Social Security benefit. But if he predeceases Julia, the GPO will prevent her from receiving any survivor benefits.

That's because the GPO reduces a public employee's Social Security spousal or survivor benefits by an amount equal to two-thirds of his or her public pension. Men and women who have never worked outside the home and thus did not contribute to Social Security are allowed full survivor benefits. Yet many educators are denied these same benefits.

NEA's Position

In June 2002 NEA submitted a statement calling for the repeal of these two provisions to the Ways and Means Committee of the U. S. House of Representatives. The NEA position is clear:

“Because the offset applies only to persons receiving public pensions, not those receiving private pensions, it creates a tremendous inequity in the distribution of Social Security benefits. The standard for this narrow class of individuals—retired public employees who are surviving spouses of retirees covered by Social Security—is inconsistent with the overall Social Security Act. This imbalance seems particularly unfair given that Congress, through ERISA standards and tax code provisions, has more direct influence over private employers than public employers.”

“NEA believes it is unconscionable that those who survive their spouses should see their retirement incomes reduced by thousands of dollars just because they are public employees. Teachers and other public employees who have devoted their working life to children and public service should not have to worry about the security of their retirement plans. We call on Congress to stop punishing people whose only transgression is a life spent serving the public and to take action this year to address the pension offset.”

Action Plan

The first step necessary to remedy this situation is immediate repeal the GPO and the WEP. The successful passage of this legislation depends upon educating our membership.

Another necessary step is debate within our government unions on the advisability of joining the Social Security system at this date. From 1977 until 1998, there was discussion in Washington of mandatory Social Security coverage for all public employees.

Some Clinton era task forces recommended this route, particularly for newly hired employees. However, dissent among parts of government has slowed progress. Federal officials would like to see the increased revenue stream, as hundreds of thousands of government employees begin contributing to the Social Security Trust Fund. State and local governments fear their 6% match will devastate their budgets. Left out of this is any clear analysis of the economic impact joining the system would have on present non-Social Security government employees.

Several members of Congress have introduced GPO and/or WEP legislation. In the 107th Congress, Representatives Howard McKeon (R-CA) and Howard Berman (D-CA) have introduced a bill (H.R. 2638) to repeal both the GPO and WEP. Sen. Diane Feinstein (D-CA) has introduced this same bill (S. 1523) in the Senate.

Rep. William Jefferson (D-LA) and Sen. Barbara Mikulski (D-MD) have introduced bills (H.R. 664/S. 611) to protect low- and middle-income public retirees by eliminating the GPO for the first \$1,200 of combined monthly benefits. In 2001, a bipartisan majority of members of the House of Representatives cosponsored Rep. Jefferson's GPO legislation. Despite this strong support, congressional leaders failed to bring the bill to the floor for a vote.

Rep. Barney Frank (D-MA) has introduced legislation (H.R. 1073) to address the WEP by restricting its application to individuals whose combined monthly benefits exceed \$2,000. The bill would provide a graduated implementation of the WEP above the \$2,000 threshold, up to 100 percent for combined amounts over \$3,000. Rep. Max Sandlin (D-TX) has introduced legislation (H.R. 848) to eliminate the WEP.

Both Massachusetts senators, Edward F. Kennedy and John Kerry, along with all ten members of the Massachusetts congressional delegation, have announced their support for this legislation.

None of the proposed legislation would provide retro-active payments to retired educators, but would refigure their pensions without the reductions as of the time of the passage of the bill.

Congress can fix the problem. MSCA and NEA will be engaged in the effort to convince Congress to do just that. Congress will not pass legislation to repeal the GPO and WEP unless congressional leaders allow legislation to move forward.

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The Message

Congress must act immediately to repeal the unfair Social Security Government Pension Offset and Windfall Elimination Provision. Please take action on (House) H.R. 2638, introduced by Representatives McKeon (R-CA) and Berman (D CA), and (Senate) S. 1523, introduced by Senator Feinstein (D-CA), which would repeal both the GPO and WEP.