



MITCHELL J. LANDRIEU
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
MANAGEMENT AND FINANCE

ANGÈLE DAVIS
SECRETARY

HUMAN RESOURCES MEMORANDUM NO. 05-007

TO: Lt. Governor, Secretary, Assistant Secretaries, Deputy Assistant Secretaries, and Program Managers

FROM: Mary V. Gloston *MVG*
Human Resources Director

SUBJECT: Social Security Protection Act of 2004

DATE: January 21, 2005

The Federal Social Security Protection Act of 2004 (Public Law 108-203) recently signed into law by President Bush requires newly hired public employees to sign a statement that they are aware of a possible reduction in their future Social Security benefit entitlement. Social Security's Form SSA-1945 informs of the potential effects of two provisions in the Social Security law on workers who also receive a pension based on their work in a job not covered by Social Security. Information on the *Windfall Elimination Provision* can be found at www.socialsecurity.gov/pubs/10045.html and information on the *Government Offset Pension Provision* can be found at www.socialsecurity.gov/pubs/10045.html.

This new law requires newly hired public employees to sign Form SSA-1945. The law further outlines requirements for compliance by public agencies. Form SSA-1945, as provided by the Social Security Administration, has been accepted as the appropriate form for employees participating in both the Louisiana State Employees' Retirement System (LASERS) and Teachers' Retirement System of Louisiana (TRLS). **The effective date of this law is January 1, 2005.**

Effective immediately, the following process has been established by the Department of Culture, Recreation and Tourism to ensure compliance with Public Law 108-203:

1. The ***Conditional Offer of Employment Document*** has been updated to insert signature of Form SSA-1945 as a condition of employment.
2. Form SSA-1945 must be given to employees prior to hire date. **When an applicant picks up drug testing forms, include the Form SSA-1945 and information regarding the Windfall Elimination Provision and the Government Offset Pension Provision. The employee must sign and return this document before or on the first day of employment. Employment cannot begin without this document, as it is a condition of employment.**

3. Give a copy of the form to the employee on the first day of employment and submit the original form to Human Resources for inclusion in the personnel folder. **Human Resources will be responsible for submitting a copy to the appropriate retirement system.**

Note: Since information and procedures were just recently received on this new requirement, employees hired since January 1, 2005 probably have not completed Form SSA-1945. Human Resources will follow-up with these office liaisons to obtain appropriate documents for these individuals

Further information regarding the Federal Social Security Protection Act of 2004 may be found at www.socialsecurity.gov/form1945/. If you have any questions regarding the above procedure, please contact Kathy Merrill at 225-342-0880.

MVG:km

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