

AFT-WV Update: IRS/Retirement Age Ruling

Many teachers across the state have voiced concerns about an IRS ruling regarding the retirement age for public employees. In 2007, the IRS defined the normal age at which a participant in the private sector can retire as 62. Governmental agencies were granted an extension until the rules could be revised to address the differences in the various government retirement plans. The IRS has delayed implementing any changes since then, leaving educators approaching retirement with a serious question; will my benefits decrease if I don't retire now?

US Congressman Nick Rahall questioned the IRS on behalf of WV teachers about the effective date of any proposed changes in the retirement date. In an October 1, 2014 letter to AFT-WV President Christine Campbell, Rahall explained that he “conveyed the concerns of West Virginia teachers to the appropriate IRS officials” and he will “keep your concerns in mind should related legislation come before the House of Representatives.” After his intervention, the IRS issued a reply to Congressman Rahall to clarify the concerns of WV education employees.

Jeffery Fleck, Executive Director of the WV Consolidated Public Retirement Board, reviewed the IRS response and stated “the earliest that the regulations would become effective would be the end of the regular legislative session in 2016 (March 2016.)” Fleck also said there is a possibility that when the final IRS regulations are published, they may not apply to plans administered by the WV CPRB at all.

Thanks to the efforts of [Congressman Nick Rahall](#), teachers in WV do not have to rush into making retirement decisions this year.

