

General Conditions Under Which a Person is Entitled to a Railroad Retirement Spouse Annuity

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| Age Requirement | The requirement for a spouse annuity based on age depends on the employee's years of creditable railroad service, the employee's age, and your age. The employee must be receiving an annuity and you must file an application for your spouse annuity. When all eligibility requirements are met, a spouse annuity based on your age can begin as explained in Chart 1 and Chart 2. Chart 3 explains Full Retirement Age (FRA) . |
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| CHART 1 - SPOUSE AGE REQUIREMENTS – EMPLOYEE HAS AT LEAST 360 MONTHS OF RAILROAD SERVICE | | | |
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| If the employee is retired: | and the employee: | your spouse annuity can begin the first full month you are age 60. Your Tier 1 will: | Your Tier 2 will: |
| based on age and both attained age 60 and acquired 360 months of railroad service before July 1984, | retired July 1974, or later at age 60 or later, | not have an age reduction. | not have an age reduction. |
| based on age and either attained age 60 or acquired 360 months of railroad service in July 1984 through December 2001, | retired at age 60 through age 61, with an employee annuity beginning date before January 2002, | have an age reduction based on the employee's age reduction until both you and the employee have attained age 62. You will then have an age reduction for the number of months you are under Full Retirement Age (FRA) when both you and the employee are age 62. | not have an age reduction. |
| based on age and either attained age 60 or acquired 360 months of railroad service in July 1984 through December 2001, | retired at age 62 or later, | not have an age reduction. | not have an age reduction. |
| based on age with at least 360 months of railroad service, | retired at age 60 or later with an employee annuity beginning date in January 2002, or later, | not have an age reduction. | not have an age reduction. |
| based on disability with 30 years of service and an employee annuity beginning date before July 1, 1984, | has attained age 60, | not have an age reduction. | not have an age reduction. |
| based on disability with 30 years of service and an employee annuity beginning date of July 1, 1984, or later, | has attained age 60, | have an age reduction depending on your spouse annuity beginning date. <ul style="list-style-type: none"> ➤ If your spouse annuity begins before January 2002, and begins before your FRA, your Tier 1 will have an age reduction. (You are deemed age 62 on your ABD.) ➤ If your spouse annuity begins January 1, 2002, or later, your Tier 1 will not have an age reduction. | not have an age reduction. |

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| CHART 2 - SPOUSE AGE REQUIREMENTS – EMPLOYEE HAS 60 - 359 MONTHS OF RAILROAD SERVICE | | | |
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| If the employee retired: | and the employee has attained | your spouse annuity can begin the first full month you are age 62. Your Tier 1 will: | Your Tier 2 will: |
| before 1975 with at least 120 months of railroad service, | age 65, | have an age reduction if you retire before attaining your FRA. | have an age reduction if you retire before attaining age 65. |
| in 1975, or later, with at least 120 months of railroad service, including some railroad service before August 12, 1983, | age 62, | have an age reduction if you retire before attaining your FRA. | have an age reduction if you retire before attaining age 65. |
| in 1975, or later, with at least 120 months of railroad service and no railroad service before August 12, 1983, | age 62, | have an age reduction if you retire before attaining your FRA. | have an age reduction if you retire before attaining your FRA. |
| January 2002 or later, with at least 60 months of railroad service after 1995, | age 62, | have an age reduction if you retire before attaining your FRA. (The employee must have an SSA Insured Status to qualify you for a Tier 1 benefit.) | have an age reduction if you retire before attaining your FRA. |

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| <p style="text-align: center;">Full Retirement Age (FRA) for Annuities Based on Less Than 30 years of Service</p> | <p>The term Full Retirement Age (FRA) means the age at which the spouse of an employee with less than 30 years of railroad service can receive a full annuity (not reduced for early retirement).</p> <p>If the employee had less than 30 years of railroad service, FRA for spouses who were born before January 2, 1938, is age 65. The FRA for persons born after January 1, 1938, will gradually increase over a 20-year period to age 67, as illustrated in the following chart. FRA for your Tier 2 age reduction will remain at age 65 if the employee had any creditable railroad service before August 12, 1983. Otherwise, the FRA for your Tier 2 age reduction will gradually increase in the same manner as FRA for your Tier 1 age reduction.</p> <p>(FRA also affects Tier 1 annuity deductions due to earnings, regardless of the number of the employee's years of railroad service, as described in Chart 4.)</p> |
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| CHART 3 - DETERMINING YOUR FULL RETIREMENT AGE | | | |
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| If you were born: | then your FRA is: | If you were born: | then your FRA is: |
| Before 1-2-1938 | 65 | 1-2-1955 thru 1-1-1956 | 66 and 2 months |
| 1-2-1938 thru 1-1-1939 | 65 and 2 months | 1-2-1956 thru 1-1-1957 | 66 and 4 months |
| 1-2-1939 thru 1-1-1940 | 65 and 4 months | 1-2-1957 thru 1-1-1958 | 66 and 6 months |
| 1-2-1940 thru 1-1-1941 | 65 and 6 months | 1-2-1958 thru 1-1-1959 | 66 and 8 months |
| 1-2-1941 thru 1-1-1942 | 65 and 8 months | 1-2-1959 thru 1-1-1960 | 66 and 10 months |
| 1-2-1942 thru 1-1-1943 | 65 and 10 months | 1-2-1960 and later | 67 |
| 1-2-1943 thru 1-1-1955 | 66 | | |

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| <p>Marriage Requirements</p> | <p>The marriage requirement is met if any of following conditions exist:</p> <ul style="list-style-type: none"> ➤ You have been married to the railroad employee for at least one year immediately prior to filing your spouse annuity application; or, ➤ you are the natural parent of the railroad employee’s child; or, ➤ you were eligible for a widow(er)’s, parent’s, or disabled child’s annuity under the Railroad Retirement Act in the month before your marriage to the employee. | |
| <p>Definition of Child-in-Care</p> | <p>A wife may qualify for a spouse annuity, or a husband may qualify for a Tier 1 benefit, at any age, based on a child of the employee in care. The employee must have attained age 62 (or age 60 with 30 years of service) to qualify the spouse for this annuity. The child must be either:</p> <ul style="list-style-type: none"> ➤ a minor child under age 18; or, ➤ a child age 18 or older with a permanent disability which began before the child attained age 22 and prevents any type of regular employment. <p>The term Child-in-Care includes the railroad employee's unmarried natural child, adopted child or dependent stepchild, or under certain conditions, a grandchild whose parents are deceased or disabled. A child is in your care if you exercise parental control over, and are responsible for, the welfare and care of the child. If the child is permanently disabled, but mentally competent, he or she is considered to be in your care if you perform personal services. The RRB will make the final determination regarding the personal services you perform and whether or not they constitute the child being in your care.</p> | |
| <p>Tier 1 Reductions for Non-Railroad Earnings</p> | <p>Your Tier 1 benefits are not reduced for your non-railroad earnings if you are receiving social security benefits. Otherwise, the Annual Earnings Exempt Amount is the amount of non-railroad earnings you can have in a calendar year without losing part of your Tier 1 benefit. Use Chart 3 to determine your Full Retirement Age (FRA). Then refer to Chart 4 below and <i>Form G-77a How Earnings Affect Payment of Retirement Annuities</i>.</p> <p>The employee’s non-railroad earnings over the Annual Earnings Exempt Amount for the employee’s age group may also cause a reduction in your Tier 1 benefit.</p> | |
| <p>CHART 4 - DETERMINING YOUR ANNUAL EARNINGS EXEMPT AMOUNT</p> | | |
| <p>For a year in which:</p> | <p>You may lose up to \$1 in Tier 1 benefits for every:</p> | <p>The reduction:</p> |
| <p>you attain FRA,</p> | <p>\$3.00 of earnings over the Annual Earnings Exempt Amount for your age group. However, your earnings are only counted for months before the month in which you attain FRA.</p> | <p>is removed effective the month in which you attain FRA.</p> |
| <p>you are under your FRA for the entire year,</p> | <p>\$2.00 of earnings over the Annual Earnings Exempt Amount for your age group.</p> | <p>applies for the full year.</p> |
| <p>you work outside the U.S. for 45 or more hours per month,</p> | <p>\$2.00 of earnings. There is no Annual Earnings Exempt Amount for work outside the U. S. However, your earnings are only counted for months before the month in which you attain FRA.</p> | <p>is removed effective the month in which you attain FRA.</p> |

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| <p>SSA Insured Status</p> | <p>If the employee's annuity is based on 60-119 months of railroad service after 1995, you qualify for a Tier 1 benefit if the employee has an SSA Insured Status based on combined railroad and social security earnings. The employee has an SSA insured status if:</p> <ol style="list-style-type: none"> 1. the employee has at least 40 quarters of coverage in age and service cases; or, 2. the employee has a Disability Freeze (D/F) under SSA rules in disability cases. (See Booklet RB-1D <i>Employee Disability Benefits</i> for an explanation of a D/F.) The D/F cannot be deemed. |
| <p>Tier 2 Reductions for Last Pre-Retirement Non-Railroad Earnings</p> | <p>Your Last Pre-Retirement Non-railroad Employer (LPE) is generally any non-railroad employer for whom you performed service before your annuity beginning date. You may have more than one LPE if you worked for more than one non-railroad employer before your spouse annuity beginning date.</p> <p>Any earnings after your spouse annuity beginning date from your LPE, at any age, may cause a reduction to your Tier 2 benefit. The reduction is \$1 for every \$2 earned (subject to the maximum reduction of 50% of your Tier 2 benefit).</p> <p>If the employee has an LPE and the employee works for that employer after your spouse annuity beginning date, those LPE earnings can also cause a reduction to your Tier 2 benefit.</p> |
| <p>When a Spouse Annuity is not Payable</p> | <p>A spouse annuity is not payable for any month in which:</p> <ul style="list-style-type: none"> ➤ the employee's annuity is not payable; or, ➤ you work for a railroad employer; or, ➤ you become entitled to a railroad retirement annuity based on your own earnings record that exceeds the amount of your spouse annuity on this earnings record and neither earnings record includes railroad service before 1975; or, ➤ you become entitled to a railroad retirement survivor annuity based on a different RRB earnings record that exceeds the spouse annuity rate. |
| <p>When a Spouse Annuity Ends</p> | <p>A spouse annuity ends the month before the month in which:</p> <ul style="list-style-type: none"> ➤ you die; or, ➤ the employee dies (a widow(er)'s annuity may become payable at this time); or, ➤ the employee's entitlement to an employee annuity terminates due to recovery from disability; or, ➤ your marriage to the employee ends by absolute divorce (a divorced spouse annuity may become payable at this time); or, ➤ your marriage to the employee is dissolved by annulment; or, ➤ the child qualifying you for an annuity is no longer in your care or attains age 18 or recovers from disability. Your spouse annuity will end unless you are old enough to receive a spouse annuity based on age. |

If you would like more information concerning spouse annuities, please request Booklet RB-30 *Spouse/Divorced Spouse Annuity* before you come in to file for your annuity. This booklet is available at www.rrb.gov.