

General Conditions Under Which a Person is Entitled to a Railroad Retirement Widow(er) or Surviving Divorced Spouse Annuity

Current Connection	The employee must have a current connection to the railroad industry at the earlier of retirement or death to qualify you for survivor benefits under the Railroad Retirement Act (RRA). Otherwise, the Social Security Administration would pay the survivor benefits.
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Age Requirement	If you are receiving an RRA spouse annuity in the month the employee dies, your benefit will be converted to a widow's annuity. Only proof of the employee's death is needed. Otherwise, you must file an application for your RRA survivor annuity. When all eligibility requirements are met, a widow(er), surviving young mother/father, surviving divorced spouse, or surviving divorced young mother/father annuity can begin as explained in Chart 1.
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CHART 1 - DETERMINING YOUR ANNUITY BEGINNING DATE

If filing as a:	your annuity can begin:	Your Tier 1 will :	and:
widow(er)	at age 60.	have an age reduction if you retire before attaining Full Retirement Age (FRA). (If you are age 60-61 on your Original Beginning Date (OBD), you are deemed age 62 on your OBD.)	your Tier 2 will have an age reduction if you retire before attaining FRA. (If you are age 60-61 on your OBD, you are deemed age 62 on your OBD.)
disabled widow(er)	at age 50.	have an age reduction if you retire before attaining FRA. (You are deemed age 60 on your OBD.)	your Tier 2 will have an age reduction if you retire before attaining FRA. (You are deemed age 60 on your OBD.)
surviving divorced spouse or disabled surviving divorced spouse	at age 60 (or age 50, if disabled).	have an age reduction if you retire before attaining FRA. (You are deemed age 60 on your OBD, if you are disabled.)	a Tier 2 benefit is not payable to a surviving divorced spouse or disabled surviving divorced spouse.
surviving young mother/father (under age 65 caring for a child of the employee).	at any age based on child-in-care as long as the child is under age 18 or the disabled child became disabled before attaining age 22.	not have an age reduction, but will be based on only 75% of the employee's Primary Insurance Amount (PIA), subject to the family maximum.	your Tier 2 will not have an age reduction.
surviving divorced young mother/father (under age 65 caring for a child of the employee).	at any age based on child in care as long as the child is under age 16 or the disabled child became disabled before attaining age 22.	not have an age reduction, but will be based on only 75% of the employee's PIA, subject to the family maximum.	a Tier 2 benefit is not payable to a surviving divorced young mother/father.

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Full Retirement Age (FRA)	<p>The term Full Retirement Age (FRA) means the age at which the widow(er) or surviving divorced spouse can receive a full annuity under the RRA unreduced for early retirement.</p> <p>The FRA for age reductions for applicants for a survivor annuity who were born before January 2, 1940, is age 65. The FRA for applicants for survivor annuities who were born after January 1, 1940, will gradually increase over a 20-year period to age 67, as illustrated in the following chart. If you are entitled to a Tier 2 benefit, the FRA for your Tier 2 age reduction will be the same as the FRA for your Tier 1 age reduction.</p> <p>(Full Retirement Age also affects survivor annuity earnings deductions as described on Chart 3.)</p>
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CHART 2 - DETERMINING YOUR FULL RETIREMENT AGE

If you were born:	then your FRA is:	If you were born:	then your FRA is:
Before 1-2-1940	65	1-2-1957 thru 1-1-1958	66 and 2 months
1-2-1940 thru 1-1-1941	65 and 2 months	1-2-1958 thru 1-1-1959	66 and 4 months
1-2-1941 thru 1-1-1942	65 and 4 months	1-2-1959 thru 1-1-1960	66 and 6 months
1-2-1942 thru 1-1-1943	65 and 6 months	1-2-1960 thru 1-1-1961	66 and 8 months
1-2-1943 thru 1-1-1944	65 and 8 months	1-2-1961 thru 1-1-1962	66 and 10 months
1-2-1944 thru 1-1-1945	65 and 10 months	1-2-1962 and later	67
1-2-1945 thru 1-1-1957	66		

Marriage Requirements for Widow(er) Annuity	<p>To be considered the widow(er), you must meet one of the requirements on page 1 and:</p> <ul style="list-style-type: none"> ➤ be the legal widow(er) of the employee; ➤ have been married to the employee for at least nine full months before the employee's death. If you were married to the deceased employee less than nine months, ask the nearest RRB field office to explain any exceptions that might apply; ➤ not have been divorced from the employee at the time of the employee's death; and, ➤ have not remarried since the employee's death. (Note - A remarried widow(er)'s annuity may be payable if you remarried before age 60, but are now unmarried; or, if you remarried after attaining age 60; or if you remarried after age 50 if you were disabled before the remarriage.)
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Marriage and Divorce Requirements for Surviving Divorced Spouse or Surviving Divorced Young Mother/Father	<p>To be considered entitled to an annuity based on divorce from the employee, you must meet one of the requirements on page 1 and you must:</p> <ul style="list-style-type: none"> ➤ have been finally divorced from the employee; and, ➤ be unmarried at the present time. (Note - If you have remarried, you must have remarried after attaining age 60, or after attaining age 50 if you were disabled before the remarriage.) <p>A surviving divorced spouse or disabled surviving divorced spouse must have been married to the employee for a continuous period of at least 10 years immediately before the effective date of the final divorce. Divorce and remarriage to the employee in the same or following year is still considered a continuous marriage.</p> <p>A surviving divorced young mother/father must have the employee's child-in-care.</p> <p>Also, you are not entitled to an annuity based on divorce from the employee if you are entitled to a different RRA annuity or a social security benefit that exceeds the RRA annuity based on divorce.</p>
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Definition of Child-in-Care	<p>A surviving young mother/father under age 65 or surviving divorced young mother/father under age 65 may qualify for an annuity based on a child of the deceased employee in care. The child must be entitled to an RRA Child's Insurance Annuity as either:</p> <ul style="list-style-type: none"> ➤ a minor child under age 18 (age 16 for a surviving divorced young mother/father); or, ➤ a disabled child with a permanent disability that began before the child attained age 22 and prevents any type of regular employment. <p>The term Child-in-Care includes the deceased 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>
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SSA Insured Status	<p>If your survivor annuity is based on an employee who had 60-119 months of railroad service after 1995, a Tier 1 benefit is payable only if the employee had an SSA Insured Status based on combined railroad and social security earnings. Generally, employees had an SSA Insured Status if they had at least one Quarter of Coverage (QC) for each calendar year after 1950, or after the year the employee attained age 21, whichever is later, up to the earliest of the year the employee became disabled, attained age 62, or died.</p> <p>The Tier 2 benefit is payable, even if the employee lacks the SSA Insured Status.</p>
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Reductions For Non-Railroad Earnings	<p>A survivor annuity is not payable for any month the survivor works for a railroad or railroad union.</p> <p>For survivor annuities that are not based on disability, the Annual Earnings Exempt Amount is the amount of non-railroad earnings you can have in a calendar year without losing part of your annuity. Survivors who are receiving social security benefits have their railroad retirement annuity and social security benefit combined for earnings limitations purposes.</p> <p>Full Retirement Age (FRA) for survivor annuities is explained in Chart 2. There are separate <i>Annual Earnings Exempt Amounts</i> for survivor annuitants at FRA and those under FRA. Refer to Form G-77 <i>How Earnings Affect Payment of Survivor Annuities</i>.</p>
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CHART 3 - DETERMINING WORK DEDUCTIONS

For a year in which:	you may lose up to \$1 in benefits for every:	The reduction:
you attain FRA,	\$3.00 of earnings over the <i>Annual Earnings Exempt Amount</i> for your age group. However, your earnings are only counted for months before the month in which you attain FRA.	is removed effective the month in which you attain FRA.
you are under your FRA for the entire year,	\$2.00 of earnings over the <i>Annual Earnings Exempt Amount</i> for your age group.	applies for the full year.
you work outside the U.S. for 45 or more hours per month,	\$2.00 of earnings. There is no <i>Annual Earnings Exempt Amount</i> for work outside the U. S. However, your earnings are only counted for months before the month in which you attain FRA.	is removed effective the month in which you attain FRA.

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<p>Earnings in Disability Cases</p>	<p>The non-railroad earnings restrictions explained above do not apply to a disabled widow(er), a surviving disabled divorced spouse, or to a disabled child. However, any work or earnings by a disability annuitant must be reported and are reviewed to determine whether they indicate recovery from the disability.</p>
<p>When a Annuity is not Payable</p>	<p>A survivor annuity is not payable for any month:</p> <ul style="list-style-type: none"> ➤ in which you work for a railroad employer or railroad union; or, ➤ after you waive entitlement to permit payment of the Residual Lump-Sum. <p>Also, a widow(er)'s annuity is not payable for any month in which you receive a divorced spouse annuity or survivor annuity based on a different RRA claim number that exceeds your widow(er)'s annuity.</p>
<p>When a Widow(er) or Surviving Young Mother/Father Annuity Ends</p>	<p>A widow(er) annuity ends the month before the month in which:</p> <ul style="list-style-type: none"> ➤ you die; or, ➤ you remarry (a remarried widow(er) annuity may become payable at that time). <p>Unless you qualify for an annuity based on your age, an annuity ends the earliest of:</p> <ul style="list-style-type: none"> ➤ the month before the month the minor child qualifying you for an annuity attains age 18; ➤ the first full month the minor or disabled child qualifying you for an annuity is no longer in care; ➤ two months after the month you recover from disability if your entitlement is based on disability; or, ➤ two months after the disabled child qualifying you for an annuity recovers from disability.
<p>When Surviving Divorced Spouse or Surviving Divorced Young Mother/Father Annuity Ends</p>	<p>A surviving divorced spouse annuity or surviving divorced young mother/father annuity ends the earliest of the month before the month in which:</p> <ul style="list-style-type: none"> ➤ you become entitled to either an annuity based on a different RRA claim number or to a social security benefit and the amount of that benefit exceeds your annuity based on divorce from the employee; ➤ you die; or, ➤ you remarry (ask the RRB field office about a few exceptions that might apply). <p>Unless you were married to the employee for at least 10 years and you qualify for an annuity based on your age, an annuity ends the earliest of:</p> <ul style="list-style-type: none"> ➤ the month before the month the minor child qualifying a surviving divorced young mother/father for an annuity attains age 16; ➤ the first full month the minor or disabled child qualifying a surviving divorced young mother/father for an annuity is no longer in care; ➤ two months after the month you recover from disability if your surviving divorced spouse annuity is based on disability; or, ➤ two months after the disabled child qualifying a surviving divorced young mother/father for an annuity recovers from disability.
<p>Remarried Widow(er) Annuity</p>	<p>A remarried widow(er) annuity may be payable if you meet all the eligibility requirements for a widow(er)'s annuity explained in this form, but you either did not remarry until after you attained age 60 or you remarried before age 60 but are now unmarried. Ask the nearest RRB field office to explain this type of benefit.</p>