

## 111.1 Definitions

The term "Annuity Beginning Date" (ABD) means the date on which an employee, spouse, or divorced spouse applicant first becomes entitled to a retirement annuity or any portion thereof.

The term "Original Beginning Date" (OBD) means the date on which a survivor applicant first becomes entitled to a survivor annuity or any portion thereof.

A designated annuity beginning date (ABD) or designated original beginning date (OBD) instructs the RRB to begin the annuity on a date that is later than the earliest date permitted by law.

## 111.2 General Rules - When an Annuity Can Begin

Annuities can begin when the annuitant satisfies the eligibility requirements, but not earlier than the conditions of retroactivity of the application will allow. Also remember that an annuity cannot begin to accrue if the applicant dies before the date on which he attains eligibility.

If an application is submitted without designation of ABD/OBD, the RRB will begin the annuity on the earliest date permitted by law, provided all eligibility and entitlement requirements have been met.

An annuity cannot begin on the 31<sup>st</sup> day of the month, unless the applicant designates that beginning date as explained in [FOM-I-111.5](#). Even then, no annuity accrues or is payable for the thirty-first day of any month.

## 111.3 "First Full Month" Requirements

### 111.3.1 "First Full Month" Age Attainment for Reduced Age Retirement Annuities

For 1974 RR Act employee and spouse reduced age 62 cases (employee had less than 30 years of railroad service) that were paid partial or final before September 1, 1981, the age attainment rules for both Tier 1 and Tier 2 were the same. The ABD could be as early as the month "in which" the applicant attained age 62.

Effective for cases initially paid September 1, 1981, or later, for applications filed before 9-1-1983, different rules applied for Tier 1 and Tier 2:

- The Tier 1 benefit could have begun as early as the "first full month" the applicant attained age 62; and,
- The Tier 2 benefit could have begun as early as the month "in which" the applicant attained age 62.

The 1983 RR Act Conforming Amendments made the age attainment rules for both Tier 1 and Tier 2 the same effective with reduced age 62 retirement applications filed 9-1-1983 or later. The annuity (Tier 1 and Tier 2) could begin as early as the “first full month” the applicant attained age 62.

### **111.3.2 Date Applicant Attains a Given Age**

Remember that “the day an employee, spouse or survivor attains a given age” means the day before that person's actual date of birth.

This can affect the “first full month” requirement for retirement and survivor annuities. If the birthday is on the first or second day of the month, the birth month is the first full month the person attains age 60 or 62.

Example 1 - An employee whose date of birth is 2-1-1943 attained age 62 on 1-31-2005. February 2005 is the first full month the employee is age 62.

Example 2 - An employee whose date of birth is 2-2-1943 attained age 62 on 2-1-2005. February 2005 is the first full month the employee is age 62.

### **111.3.3 “First Full Month” Spouse had Employee’s Child-in-Care**

For 1974 RR Act spouse annuities based on having the employee’s child-in-care, that were paid partial or final before September 1, 1981, the rules for both Tier 1 and Tier 2 were the same. The ABD could be as early as the month “in which” the spouse had the employee’s child-in-care.

Effective for cases initially paid September 1, 1981, or later, for applications filed before 9-1-1983, different rules applied for Tier 1 and Tier 2:

- The Tier 1 benefit could have begun as early as the “first full month” the spouse had the employee’s child-in-care; and,
- The Tier 2 benefit could have begun as early as the month “in which” the spouse had the employee’s child-in-care.

The 1983 RR Act Conforming Amendments made the effective date for both Tier 1 and Tier 2 the same effective with applications filed 9-1-1983 or later. The annuity (Tier 1 and Tier 2) could begin as early as the “first full month” the spouse had the employee’s child-in-care.

### **111.3.4 “First Full Month” 60/30 Age Attainment**

#### **A. Reduced Age 60/30 Employee or Spouse 6-1-1989 or Later**

The changes described in this section are effective for reduced age 60/30 employee annuities and reduced age spouse annuities and are based on legal opinion L-89-28.

If the employee was paid a reduced age 60/30 annuity before 1-1-2002, the employee's age requirement was age 60. If the employee's date of birth (DOB) was 6-2-1929 or earlier, the age requirement was met in the month "in which" the employee attained age 60. If the employee's DOB was 6-3-1929 or later, the employee must have met the age 60 requirement for a "full month".

If the employee was paid a reduced age 60/30 annuity or the employee was a 60/30 disability annuitant with an ABD 7-1-1984 or later, the spouse's age requirement for a reduced-age 60/30 spouse annuity was age 60. If the spouse's DOB was 6-2-1929 or earlier, the age requirement was met in the month "in which" the spouse attained age 60. If the spouse's DOB was 6-3-1929 or later, the spouse must have met the age 60 requirement for a "full month."

### **B. Full Age 60/30 Spouse 11-1989 or later**

The changes for spouse 60/30 annuities described in this section are based on legal opinion L-89-28 and the month in which the Bureau of Field Service advised the district offices of this procedure.

If the employee was paid a full 60/30 age and service annuity or the employee was a 60/30 disability annuitant with an ABD before 7-1-1984, the spouse age requirement for a full age 60/30 spouse annuity was age 60. If the spouse's DOB was 11-2-1929 or earlier, the age requirement was met in the month "in which" the spouse attained age 60. If the spouse's DOB is 11-3-1929 or later, the spouse must have met the age 60 requirement for a "full month."

From July 1984 through December 2001, the employee age requirement for a full 60/30 annuity was met in the month "in which" the employee attained age 62. Therefore, L-89-28 did not affect those employees.

Under the Railroad Retirement and Survivors Improvement Act of 2001 (RRSIA) effective January 1, 2002 or later, the age requirement for an employee or spouse full 60/30 annuity is to have attained age 60 for a "full month."

## **111.4 Factors Applicant Should Consider When Designating ABD**

The field office should advise applicants to designate an ABD/OBD if a later ABD/OBD is more advantageous. However, without the applicant's approval, the RRB has no authority to establish an ABD/OBD that is any later than the earliest date permitted by law.

Before an applicant designates their ABD/OBD, discuss any or all of the following factors, plus any known local or ascertainable factors so that the applicant can make an informed choice of the most advantageous annuity beginning date. Do not choose the ABD for the applicant. Confine your role to that of a source of information. All factors pertaining to Retirement ABD and Survivor OBD is provided in [FOM-1-111](#).

### **111.4.1 Reduced Age Annuity Begins at End of Month**

If the earliest ABD permitted by law for a reduced age annuity would fall on the 29th or 30th of a month, advise the applicant that designating the first day of the next month as his ABD may be to his advantage. In retirement cases, if the applicant's 62nd birthday is on or after the third day of the month, the annuity is usually not payable until the first day of the next month, anyway.

Changing the ABD will result in higher annuities payable, because the increase in the annuity rate with one less age reduction month will offset the annuity accrual that would otherwise be payable for one or two days. If the ABD would have been on the 30th, the difference will be recovered in 6 months; if the ABD would have been on the 29th, the difference will be recovered in 1 year.

RASI (Retirement Adjudication System Initial) and the Operations examiner will automatically change the ABD for a reduced age annuity from the 29th or 30th to the first day of the next month. You should consider this when the application is filed in order to properly advise the applicant. Be sure to explain that if (s)he chooses the "earliest date permitted by law", the ABD, in fact, will not be set to the 29<sup>th</sup> or 30<sup>th</sup>, which would be the "earliest date permitted by law", but to the first day of the following month.

### **111.4.2 60/30 Eligibility Year for Employees Under Age 62**

Under current procedure, the 60/30 employee under age 62 is deemed to be age 62 in the ABD year for purposes of determining the eligibility year for the PIA#1 computation. If a 60/30 employee under age 62 is considering retirement in either December or January, he will usually maximize his and his spouse's benefits if he designates an ABD in January. The later ABD will qualify the employee to be "deemed age 62" in the later eligibility year.

However, an exception applied in 1999 (before the Railroad Retirement and Survivors Improvement Act of 2001) when employees who had an ABD before age 62 were paid reduced age 60/30 annuities. The field offices considered the increase in Full Retirement Age in addition to the eligibility year. If the employee's date last worked – railroad was December 30, 1999, a designated ABD of December 31, 1999, was allowed to provide an ABD month of December 1999 and an age reduction factor of (.2000). However, these annuities did not begin to accrue until January 2000. If these employees had chosen an ABD of January 1, 2000, they would have qualified for the later eligibility year, but the increased age reduction factor would have been (.21667).

### **111.4.3 ABD Month Work Deductions**

When an applicant ends LPE employment in the month of eligibility, discuss the possibility of a designated ABD. By requesting an ABD following the date last worked, the applicant may avoid deductions for LPE and excess earnings. The disadvantage is that the annuity is payable for only part of the month.

Calculate alternative annuity accruals for the ABD month to see whether the earliest ABD or designated ABD produces the higher rate.

EXAMPLE: An employee ends LPE on 12/3/2005, expecting excess earnings for the year and the month of December. His gross tier I is \$350.00. His tier 2 is \$20.00. He is under age 70 and has a work deduction insured status.

With the earliest ABD of 12/1/05, tier I after excess earnings deductions is \$210.00, and tier 2 after LPE work deductions is \$10.00. The accrual for the month is \$220.00.

With a designated ABD of 12/4/05, the employee is not subject to ABD month work deductions. The annuity rate of \$370.00 is multiplied by 27/30, leaving an accrual for the month of \$333.00. In this example, the designated ABD is more advantageous.

#### 111.4.4 Disability Medicare

An earlier ABD for a disability annuitant may mean earlier entitlement to Medicare. A disability annuitant may be eligible for Medicare after being entitled to a disability annuity for 24 months, if all other requirements are met.

#### 111.4.5 Pay For Time Lost

Payment for time lost (in a personal injury case against the railroad) allocated to a specific period will probably affect the ABD. If a settlement for injury is pending, advise the applicant to designate an ABD for the day after the last day of the pay for time lost.

#### 111.4.6 Unemployment or Sickness Insurance Benefits

Conditions of eligibility for unemployment or sickness insurance benefits under the Railroad Unemployment Insurance Act (RUIA) are outlined in the FOM, Part II. If an applicant appears to be entitled to either of these benefits, he should consider whether he will receive larger benefits under the RUIA or the RRA. The employee should consider:

1. Amount of benefits under each Act - The amount payable to the employee under the RUIA may be greater than the amount payable to the employee under the RRA. However, if the employee has a spouse who is eligible for a spouse's annuity, the amount payable to the employee and spouse under the RRA may be the greater amount.
2. The residual lump-sum - If the applicant's life expectancy has been materially shortened, the applicant may wish to claim benefits under the RUIA rather than under the RRA possibly to allow survivors to receive a larger residual lump-sum.

Note: If a surviving widow(er), child, or parent will be entitled to an annuity in the month of the employee's death, the residual will not be immediately payable.

3. Employer group health and accident policy - Several employers have group policies which are written by commercial insurance companies. An example is the sickness payments plan administered by the Provident Life and Accident Insurance Company. Generally, benefits from the policy must be repaid for any period in which a retirement annuity is paid. Also consider that payments made under the group policy may have already been adjusted for RUIA sickness insurance benefits.

#### **111.4.7 Employer Benefits**

The ABD may affect eligibility for employer pensions, group health and accident insurance, and long and short term disability plans. The employee should consider the requirements of various employer benefits in selecting an ABD.

A major consideration in selecting an ABD is eligibility for the United Health Care Early Retirement Major Medical Benefit Plan. For an employee who retires as an age and service annuitant, a basic eligibility requirement for this plan is that the employee's railroad annuity filing date be on or after his 60th birthday.

A disability annuitant who retires before age 60 may be covered under this health care plan, if he meets the specific disability requirements of the plan. A 60/30 annuitant who has a disability freeze may qualify under the disability requirements of the plan. Applicants with questions about eligibility should contact either United Health Care or their union.

#### **111.4.8 Tier 2 Cost of Living Increase**

In order to qualify for the tier 2 cost-of-living (COL) increase in the ABD year, the ABD must be on or before December 1.

#### **111.4.9 RRA Max Cases Before 1983**

Before 1983, if an employee and spouse were entitled to an ABD in either May or June, it was generally advantageous to choose the earlier ABD. This tended to lessen the impact of the RRA maximum reduction because it was considered before the June Tier 1 cost-of-living increase was added.

Note - The Tier 1 COL was changed to December in 1983 and the RRA Maximum was removed from the RR Act effective January 2002.

### **111.5 How Designation of ABD/OBD Can Be Made**

#### **111.5.1 Designation on Annuity Application**

An applicant should select the ABD/OBD at the time an application is filed. The APPLE screen APMU250 (Beg Date, Filing Dts, Medicare) asks the applicant if they want the annuity to begin on the earliest date permitted by law.

If that item is answered "Yes," the applicant is, in effect, asking the RRB to determine the ABD/OBD based on such factors as legislative restrictions, age, service, date last worked, duration of marriage, etc.

If that item is answered "No," the applicant is asked to designate an ABD/OBD on that APPLE screen. If a designated ABD/OBD is earlier than the earliest date permitted by law, the annuity will not begin until the earliest permissible date.

### **111.5.2 Designated ABD/OBD is Indefinite or More Than 3 Months after Filing Date**

If the age and service applicant insists on requesting an ABD/OBD more than 3 months after the date the application is filed or requests an indefinite postponement of the ABD/OBD, Headquarters should deny the application. In the denial letter, inform the applicant that (s)he must file a new application no earlier than 3 months prior to when (s)he is ready to have the annuity begin.

### **111.5.3 Unintelligible Designation**

If an ABD/OBD designation is unintelligible the RRB will start the annuity as of the earliest date permitted by law.

Some examples of unintelligible ABD/OBD designations are two or more contradictory beginning dates shown on the application or related papers or an ABD/OBD is illegible, or so altered that the exact date desired is doubtful.

## **111.6 Work Continued through the Designated ABD**

### **111.6.1 Railroad Service**

#### **Retirement Annuities**

When railroad service is continued through the designated ABD, the designated ABD cannot be used. The ABD cannot be earlier than the day following the last day of such service. If a vacation allowance is involved, see [FOM-I-330.80](#).

#### **Survivor Annuities**

Entitlement to a survivor annuity is not contingent upon ceasing railroad service. An OBD may be in a period in which the applicant continues working for a railroad employer. However, no annuity is payable to a survivor for any month in which (s)he renders service for compensation as an employee of a railroad employer.

#### **EXAMPLE**

A widow (DOB 01/18/1941) ceases railroad employment 7/2/2006 and files an AA-17 the next day. The earliest OBD permitted by law is 5/1/2006 (FRA), but the annuity is not payable until 8/1/2006 because she was still in railroad service in the months of May through July.

In reduced widow(er) annuity cases, the ARF rules that apply to months an annuity is withheld due to excess earnings also apply to months not payable due to railroad employment (see [FOM1 1135.35](#)).

### **Dual Annuities**

An applicant eligible for both a retirement and a survivor annuity may decide to file for both at the same time. Because of the difference in beginning date rules, the survivor OBD may be before the retirement ABD, but the survivor annuity payable only after the retirement annuity has already begun.

#### **EXAMPLE**

The widow in the above survivor example also files for her retirement annuity the same day she files for her widow's annuity. The retirement annuity is payable effective with her ABD of 7/3/2006, even though the survivor annuity is not payable until 8/1/2006.

An applicant should not be advised to designate as the OBD the month following the month (s)he ceases railroad employment solely for the reason that the survivor annuity is not payable from the earliest allowable OBD due to that railroad employment. The only exception is in WIMA cases if changing the OBD increases the WIMA amount payable.

## **111.6.2 Nonrailroad Work**

### **Retirement Annuities**

Effective 12-1-1988 or later, nonrailroad work has no effect on a designated ABD. However, in retirement cases, nonrailroad employment may be Last Pre-retirement Nonrailroad Employment (LPE) as explained in [FOM1 330.5](#).

### **Survivor Annuities**

Nonrailroad work, as such, has no effect on a designated OBD. However, work deductions will apply and annuity payments may be withheld if the applicant is under FRA and has excess earnings. For a full explanation of survivor work deductions, refer to FOM1 1135.

In WIMA cases, if work deductions prevent payment of an annuity, it may be to the applicant's advantage to delay the OBD until an annuity is actually payable by filing at a later date (or cancelling a filed application).

## **111.7 Changing a Designated ABD/OBD**

### **111.7.1 Before Award**

An applicant has the right to change a previously designated ABD/OBD if:

1. The change is not inconsistent with other provisions of the RR Act or RRB Regulations; and
2. The change is requested in writing signed by the applicant or his legal representative; and
3. Notice of the change is received on or before the date of the applicant's death.

### **111.7.2 After Award**

If an award has been certified either partially or fully and a final determination of the ABD/OBD has been made, a change in the ABD/OBD is permitted only if it is to the annuitant's advantage to select a different ABD/OBD. See [RCM 6.2.41](#).

**HISTORICAL NOTE:** If a reduced age and service annuity or disability annuity with an ABD before 7-1-74 has been certified, an employee may neither cancel his application nor request an ABD of July 1, 1974 or later to qualify himself for an unreduced age and service annuity on the basis of having attained age 60 and completed 30 years of service, or to qualify his spouse for an annuity at age 60.

**NOTE 1:** Changes in the ABD resulting from the use of the SS Act application filing date should be handled according to [RCM 5.1.4](#).

**NOTE 2:** When a change in ABD is at the request of the annuitant, due process procedures do not apply, even if an overpayment is created by the change. The same is true when an annuitant requests cancellation of the application after annuity payments have been made. See [RCM 5.1.31](#).

### **111.8 Designation of SUP ANN Begin Date**

An employee applicant or annuitant can designate a later beginning date for a supplemental annuity than for a regular annuity even though a separate application is not required for a supplemental annuity. No specific item is provided for such a designation on the APPLE screen APMU250 (Beg Date, Filing Dts, Medicare) itself. A signed statement can be used for this purpose. Notify RBD by email when requesting a designated SUP ANN begin date that is later than the ABD.

### **111.10 Current Employee ABD Rules**

#### **111.10 1 Current Rules for All Employees Age and Service Applicants (After Railroad Retirement and Survivors Improvement Act - RRSIA)**

To find the earliest possible age and service employee annuity ABD, locate the column describing the type of age and service annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors.

<b>Under Current Rules the Employee Age and Service ABD is the Latest of the Following:</b>	<b>Full Retirement Age (Less than 30 Years Service)</b>	<b>Full Age 60 With at Least 30 Years Service)</b>	<b>Reduced Age 62 With Less than 30 Years Service)</b>	<b>Based on 60-119 Months of Railroad Service</b>
Section of RR Act	2(a)(1)(i)	2(a)(1)(ii)	2(a)(1)(iii)	2(a)(1)(i) or 2(a)(1)(iii)
Earliest ABD (Legislation Date) Females	6-24-1937	1-1-2002	6-1-1959	1-1-2002
Earliest ABD (Legislation Date) Males	6-24-1937	1-1-2002	10-1-1961	1-1-2002
First Day of Month After Month Employee Meets the RR Service Requirement	X	X	X	X
Day after DLW	X	X	X	X
Day after DLW - Last Pre-Retirement Nonrailroad Employment (LPE)	<12-1-1988	<12-1-1988	<12-1-1988	N/A
Designated ABD	X	X	X	X
First Day of Month Application Filed	N/A	N/A	X*	Reduced Age 2(a)(1)(iii) only*
First Day of Month 6 Months Prior to Employee Filing Date	X	X	N/A	Full Age 2(a)(1)(i) only
First Day of Month FRA Attained	X	N/A	N/A	Full Age 2(a)(1)(i) Only
First Day of First Full Month Age 62	N/A	N/A	X	Reduced Age 2(a)(1)(iii) only
First Day of First Full Month Age 60	N/A	X	N/A	N/A
*See retroactivity rules in <a href="#">FOM-I-112.5.3</a> .				

### 111.10.2 Current Rules for Employee Disability Applicants

To find the earliest possible disabled employee annuity ABD, locate the column describing the type of disability annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors.

<b>Under Current Rules, the Employee Disability Annuity ABD is the Latest of the Following:</b>	<b>Occupational Disability</b>	<b>Total and Permanent Based on at least 120 months RR Service</b>	<b>Total and Permanent Based on 60-119 Months RR Service</b>
Section of RR Act	2(a)(1)(iv)	2(a)(1)(v)	2(a)(1)(v)
Earliest ABD (Legislative Date)	1-1-1975	1-1-1975	1-1-2002

<b>Under Current Rules, the Employee Disability Annuity ABD is the Latest of the Following:</b>	<b>Occupational Disability</b>	<b>Total and Permanent Based on at least 120 months RR Service</b>	<b>Total and Permanent Based on 60-119 Months RR Service</b>
Designated ABD	X	X	X
First day of Month After Month Employee Meets the RR Service Requirement	X	X	X
Day after DLW for RR or Pay for Time Lost	X	X	X
Day after DLW for Last Pre-retirement Nonrailroad Employment (LPE)	<12-1-1988	<12-1-1988	N/A
First Day of Month 12 Months Prior to Filing Date	X	X	X
First Day of Month Age 60 Attained If Less Than 20 Years of Service	X	N/A	N/A*
First Day of Sixth Month After RR Act Disability Onset Date (Disability Waiting Period) or First Day of Month Disabled Under RR Act If Previously Disabled and Re-entitled Within Prescribed Period.	X	X	X
*For total and permanent disability annuities where the annuitant has 60-119 total railroad service months, tier 2 is not payable until the annuitant attains age 62.			

## 111.11 Current Spouse ABD Rules

An employee disability annuitant under Full Retirement Age must relinquish whatever rights (s)he may have to return to work for any RR before a spouse annuity may be paid. However, the date of the relinquishment of rights will not affect the retroactivity of the spouse ABD.

### 111.11.1 Current Spouse 60/30 Applicants (After Railroad Retirement and Survivors Improvement Act - RRSIA)

To find the earliest possible spouse 60/30 annuity ABD, locate the column describing the type of spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors

<b>If the Employee has at Least 30 Years Service and an ABD effective 01-01-2002 or later, the Spouse ABD is the Latest of the Following:</b>	<b>Full Age (60/30)</b>	<b>Based on Child-in-Care</b>
Section of RR Act	2(c)(1)	2(c)(1)
Earliest ABD (Legislative date)	1/1/2002	1/1/2002 (Male Spouse Entitled to Tier 1 Only)
Designated ABD	X	X
Day after DLW for RR (or any Pay for Time Lost)	X	X
Employee's ABD	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X
First day of the Month in which Remarriage to the Employee Occurred, if Divorced and Previously Entitled as a Spouse	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attains Age 60	X	X
First Day of the Month 6 Months Prior to Filing Date	X	X
First Day of the First Full Month the Spouse Attains Age 60	X	N/A
First Day of First Full Month Spouse has Child-in-Care	N/A	X
First Day of Month in Which Spouse No Longer Entitled Based on Child-in-Care	X	N/A

**NOTE:** If the employee has 30 years of service, an ABD between 08-1984 and 12-2001, and an age reduction, the spouse will also have an age reduction. See the chart in [FOM1 320.12.1](#) for how to determine when to compute an age reduction for a spouse of a 60/30 annuitant.

### **111.11.2 Current Spouse Annuities When the Employee Has Less Than 30 Years of Railroad Service (9-1-1983 or Later)**

To find the earliest possible spouse annuity ABD, locate the column describing the type of spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors:

<b>Based on Less Than 30 Years Service, the Spouse ABD is the Latest of the Following:</b>	<b>Full Retirement Age</b>	<b>Reduced Age</b>	<b>Based on Child-in-Care</b>
Section of RR Act	2(c)(1)	2(c)(2)	2(c)1

<b>Based on Less Than 30 Years Service, the Spouse ABD is the Latest of the Following:</b>	<b>Full Retirement Age</b>	<b>Reduced Age</b>	<b>Based on Child-in-Care</b>
Earliest ABD (Legislative Date) for Living-With Female and Dependant Living-With Male	1/1/1975	1/1/1975	1/1/1975
Earliest ABD (Legislative Date) for Non-Dependant Living-With Male	3/1/1977	3/1/1977	5/1/1983- (Male Spouse Entitled to Tier 1 Only)
Earliest ABD (Legislative Date) for Non-Living-With Spouse (Male or Female)	8/12/1983	8/12/1983	8/12/1983 (Male Spouse Entitled to Tier 1 Only)
Designated ABD	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X
Day After DLW for LPE (Last Pre-Retirement Nonrailroad Employer)	< 12-1-1988	< 12-1-1988	< 12-1-1988
Employee's ABD	X	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X	X
First day of the Month in which Remarriage to the Employee Occurred, if Divorced and Previously Entitled as a Spouse	X	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attains Age 62	X	X	X
First Day of the Month 6 Months Prior to Filing Date	X	N/A	X
First Day of Month in Which Application Filed	N/A	X	N/A
The First Day of the Month in Which the Spouse Attains <i>Full Retirement Age</i>	X	N/A	N/A
First Day of First Full Month Spouse Attains Age 62	N/A	X	N/A
First Day of First Full Month Spouse has Child-In-Care	N/A	N/A	X
First Day of Month in Which Spouse No Longer Entitled Based on Child-In-Care	X	X	N/A

## 111.12 Current Divorced Spouse ABD Rules

An employee disability annuitant under Full Retirement Age need not relinquish rights to railroad employment before a divorced spouse annuity may be paid.

To find the earliest possible divorced spouse annuity ABD, locate the column describing the type of divorced spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors:

<b>The Divorced Spouse ABD is the latest of the following: (see note below for PL 109-280 cases)</b>	<b>Full Retirement Age</b>	<b>Reduced Age 62</b>
Earliest ABD (Legislative Date)	10-1-1981	10-1-1981
Designated ABD	X	X
Day After DLW for RR (or Pay for Time Lost)	X	X
Day After DLW for LPE	<12-1-1988	<12-1-1988
The First Day of the Month in Which the Decree of Absolute Divorce Becomes Final	X	X
First Day of the Month in which any Marriage Subsequent to Marriage to the EE Ended, if that Marriage Precluded Entitlement	X	X
Employee's ABD	X	X
First Full Month the Employee is Age 62, if the Employee has not been Granted a Disability Freeze	X	X
First Day of Month in Which the Employee is Age 62, if the Employee has been Granted a Disability Freeze	X	X
First Day of the Month 12 Months Prior to Filing Date if EE is a Disability Annuitant or a 60/30 with a Disability Freeze	X	N/A
The First Day of the Sixth Month Prior to the Month Application is Filed if EE is a Not a Disability Annuitant and is not a 60/30 with a Disability Freeze	X	N/A
The First Day of the Month in Which the Application is Filed	N/A	X
The First Day of the Month in Which the Divorced Spouse Attains Full Retirement Age (FRA)	X	N/A
The First Day of the First Full Month the Divorced Spouse Attains Age 62	N/A	X

NOTE: PL 109-280, effective August 17, 2007, allows spouses who have been divorced for two full years to become entitled to a divorced spouse annuity even if the employee is not yet entitled. The following requirements must be met.

- The employee and the spouse must have been married for at least ten years.
- The employee and the divorced spouse must have been finally divorced for a full 2 years.
- The divorced spouse must file an application.
- Both the employee and the divorced spouse must be 62 years of age for a full month.
- The employee must have sufficient months of service to be eligible for an annuity.

In addition, the employee will not have to stop work in the railroad industry and will not have to relinquish rights in order for the divorced spouse to receive an annuity.

The earliest date of filing is May 2007, and the earliest ABD is August 17, 2007. After August 17, 2007, all ABDs for Independently Entitled Divorced Spouses will be the first day of the first full month all requirements for eligibility are met.

Effective August 17, 2007, no divorced spouse will have the annuity suspended if the wage earner, whether entitled or not, is in compensated railroad service.

The Independently Entitled Divorced Spouse must stop compensated work in the railroad industry, relinquish rights, will have the tier 1 reduced for earnings over the yearly limit, be subject to PSP and SSA reductions, etc. Normal retroactivity rules will apply to these annuities, with the exception that no annuity may begin before August 17, 2007.

### 111.20 Current Survivor OBD Rules (9-1-1983 or Later)

To find the earliest possible survivor annuity OBD effective 9-1-1983 or later, locate the column describing the type of annuity. Continue down the column, considering all of the eligibility factors shown. The OBD is the date which corresponds to the latest of the factors.

<b>The Survivor OBD is the Latest of the Following:</b>	<b>Full Retirement Age</b>	<b>Reduced Age</b>	<b>Widow(er) Based on Disability</b>	<b>Based on Child in Care</b>	<b>Minor Child, Disabled Child or Student</b>
Earliest OBD (Legislative Date) for Widow(er), Sole-Survivor Parent, Child or Student	1/1/1975	1/1/1975	1/1/1975	1/1/1975	1/1/1975
Earliest OBD (Legislative Date) For Remarried Widower and Surviving Divorced Spouse	10/1/1981*	10/1/1981*	10/1/1981*	10/1/1981*	N/A
Earliest OBD (Legislative Date) For Parent (Tier 1 Only) with other Survivors	1/1/1983	1/1/1983	N/A	N/A	N/A
Designated OBD	X	X	X	X	X
First Day of Month in Which Employee Died	X	X	X	X	X
First day of the month in which any marriage subsequent to her (his) marriage to the EE ended, if that marriage precluded entitlement	X	X	X	X	N/A
First Day of the Month 12 Months Prior to Filing Date	N/A	N/A	X	N/A	N/A
The first day of the sixth month after the month in which the RR	N/A	N/A	X	N/A	N/A

<b>The Survivor OBD is the Latest of the Following:</b>	<b>Full Retirement Age</b>	<b>Reduced Age</b>	<b>Widow(er) Based on Disability</b>	<b>Based on Child in Care</b>	<b>Minor Child, Disabled Child or Student</b>
Act disability onset occurs unless a waiting period is not required.					
First Day of the Month 6 Months Prior to Filing Date	X	If survivor is <=age 62 and not a KW or RW	N/A	X	X
First Day of Month in Which Application Filed	N/A	If survivor > age 62 (age 60 if KW or RW) and < FRA	N/A	N/A	N/A
The First Day of the Month in Which the Survivor Attains <i>Full Retirement Age</i>	X	N/A	N/A	N/A	N/A
First Day of Month in Which Widow(er) Attains Age 50	N/A	N/A	X	N/A	N/A
First Day of Month in Which Survivor Attains Age 60	N/A	X	N/A	N/A	N/A
First Day of First Full Month Survivor has Child-In-Care	N/A	N/A	N/A	X	N/A
First Day of Month in Which Survivor No Longer Entitled Based on Child-In-Care	X	X	X	N/A	N/A
First Day of Month of FTA, if student over age 18	N/A	N/A	N/A	N/A	X
*The legislative date is 1/1/1984 if the surviving divorced spouse married after age 60 or married after age 50 and was entitled to a disabled surviving divorced spouse's annuity before the marriage occurred.					

## 111.30 60/30 ABD Rules Before 1-1-2002 for Employee

### 111.30.1 Employee 60/30 Age and Service Annuitants (7-1-1984 to 12-31-2001)

If the age and service 60/30 employees attained either age 60 or 30 years of railroad service after 6-30-1984, the employee's ABD must have been at or after the month in which the employee attained age 62 to qualify the employee for a Full Age 60/30 annuity. The Railroad Retirement and Survivors Improvement Act of 2001(RRSIA) removed this requirement for employee's with an ABD of 1-1-2002 or later.

To find the ABD, locate the column describing the 60/30 annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>If the 60/30 Employee ABD was 7-1-1984 through 12-31-2001, that ABD was the Latest of the Following:</b>	<b>Full Age 60 2(a)(1)(ii) When Age 60 and 30 Years Attained Before 7/1/1984</b>	<b>Full Age 60 2(a)(1)(ii) When Age 60 and 30 Years Attained After 6/30/1984</b>	<b>Reduced Age 60 2(a)(1)(ii) When Age 60 and 30 Years Attained After 6/30/1984</b>
Section of 1974 RR Act	2(a)(1)(ii)	2(a)(1)(ii) and 3(a)(3)	2(a)(1)(ii) and 3(a)(3)
Earliest ABD (Legislation Date)	1-1-1975	7-1-1984	7-1-1984
Day After Employee Meets the RR Service Requirement	X	X	X
Day after DLW - RR (or Pay for Time Lost)	X	X	X
Day after DLW - LPE (Last Pre-Retirement Nonrailroad Employment)	<12-1-1988	<12-1-1988	<12-1-1988
Designated ABD	X	X	X
First Day of Month 6 Months Prior to Filing Date	X	X	X
First Day of Month in Which Age 60 Attained	X	N/A	If DOB < 6-3-1929*
First Day of First Full Month Age 60	N/A	N/A	If DOB > 6-2-1929*
First Day of Month in Which Age 62 Attained	N/A	X	N/A
*See First Full Month rules in <a href="#">FOM-I-111.3.4</a>			

### 111.30.2 Employee 60/30 Age and Service Annuity (1-1-1975 to 6-30-1984)

If the age and service 60/30 employees attained both age 60 and 30 years of railroad service before 7-1-1984, the employee's ABD for a Full Age 60/30 annuity could have been as early as age 60.

To find the ABD, locate the column describing the 60/30 annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>Based on at Least 30 Years Service, the Employee ABD Before 7-1-1984 was the Latest of the Following:</b>	<b>Full Age 60/30 2(a)(1)(ii)</b>
Section of RR Act	2(a)(1)(ii)
Earliest ABD (Legislation Date)	1/1/1975
Day After Employee Meets the RR Service Requirement	X
Day after DLW - RR (or Pay for Time Lost)	X
Day after DLW - LPS (Last Person Service)	X
Designated ABD	X
First Day of Month 12 Months Prior to Filing Date	Tier 1 < 6/1/1982 and Tier 2 < 9-1-1983*

<b>Based on at Least 30 Years Service, the Employee ABD Before 7-1-1984 was the Latest of the Following:</b>	<b>Full Age 60/30 2(a)(1)(ii)</b>
First Day of Month 6 Months Prior to Filing Date	9-1-1983 or later*
First Day of Month in Which Age 60 Attained	X
First Day of Month in Which Attained Age 60	X
*See retroactivity rules in <a href="#">FOM-I-112.20.1</a>	

## 111.40 60/30 ABD Rules before 1-1-2002 for Spouse

### 111.40.1 Spouse of 60/30 Age and Service Employee Annuitant (7-1-1984 to 12-31-2001)

Before RRSIA, the age and service 60/30 employee's ABD must have been at or after the month the employee attained age 62 to qualify the spouse for a full age 60/30 spouse annuity.

To find the ABD, locate the column describing the 60/30 annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>ABD of Spouse of 60/30 A&amp;S Annuitant Before 1-1-2002 was the Latest of the Following:</b>	<b>Full Age 60/30 Annuity</b>	<b>Reduced Age 60/30 Annuity</b>	<b>Based on Child-in-Care</b>
Earliest ABD (Legislative Date)	7/1/1984	7/1/1984	7/1/1984
Designated ABD	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X
Day After DLW for LPE (Last Pre-Retirement Nonrailroad Employment)	<12-1-1988	<12-1-1988	<12-1-1988
Employee's ABD	X	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's Child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X	X
First day of the Month in which Remarriage to the Employee Occurred, if Divorced and Previously Entitled as a Spouse	X	X	X
First Day of the Month 6 Months Prior to Filing Date	X	If either age and service employee or spouse <= age 62*	X

First Day of Month Application Filed	N/A	If both age and service employee and spouse > age 62*	N/A
First Day of Month Spouse Attained Age 60	If spouse DOB < 11-3-1929**	If spouse DOB < 6-3-1929**	N/A
First Day of First Full Month Spouse Age 60	If spouse DOB > 11-2-1929**	If spouse DOB > 6-2-1929**	N/A
First Day of First Full Month Spouse Has Child-In-Care	N/A	N/A	X
First Day of Month in Which Spouse No Longer Has Child-in-Care	X	X	N/A

\* See ABD rules before 1-1-2002 in [FOM-I-111.40](#)

\*\*See rules for First Full Month 60/30 in [FOM-I-111.3.4](#)

### 111.40.2 Spouse of 60/30 Disability Annuitant (7-1-1984 to 12-31-2001)

Before RRSIA, the 60/30 disability annuitant had to have an ABD before 7-1-1984 to qualify the spouse for a full age 60/30 annuity. Otherwise, the spouse had to have attained Full Retirement Age (FRA) to qualify for a full age 60/30 annuity.

To find the ABD, locate the column describing the 60/30 annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>ABD of Spouse of 60/30 Disability Annuitant Before 1-1-2002 was the Latest of the Following:</b>	<b>Full Age 60/30</b>	<b>Reduced Age 60/30 Annuity</b>	<b>Based on Child-in-Care</b>
Earliest ABD (Legislative Date)	7/1/1984	7/1/1984	7/1/1984
Designated ABD	X	X	X
Day After DLW for RR (or Pay for Time Lost)	X	X	X
Day After DLW for LPE (Last Pre-Retirement Nonrailroad Employment)	<12-1-1988	<12-1-1988	<12-1-1988
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X	X
Employee's ABD	X	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attains Age 60	X	X	X
First Day of the Month 6 Months Prior to Filing Date	X	If spouse <= age 62	X

<b>ABD of Spouse of 60/30 Disability Annuitant Before 1-1-2002 was the Latest of the Following:</b>	<b>Full Age 60/30</b>	<b>Reduced Age 60/30 Annuity</b>	<b>Based on Child-in-Care</b>
First Day of Month Application Filed	N/A	If spouse > age 62 and spouse is < FRA	N/A
First Day of Month FRA Attained	X	N/A	N/A
First Day of Month Age 60 Attained	N/A	If DOB < 6-3-1929*	N/A
First Day of First Full Month Age 60	N/A	If DOB > 6-2-1929*	N/A
First Day of First Full Month Spouse Has Child-In-Care	N/A	N/A	X
First Day of Month in Which Spouse No Longer Has Child-in-Care	X	X	N/A
*See rules for First Full Month 60/30 in <a href="#">FOM-I-111.3.4</a>			

### **111.40.3 Spouse of 60/30 Age and Service Annuitant or 60/30 Disability Annuitant (9-1-1983 to 6-30-1984)**

To find the ABD, locate the column describing the 60/30 annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>ABD for Spouse of 60/30 Employee Before 7-1-1984 was the Latest of the Following:</b>	<b>Full Age 60/30 Annuity</b>	<b>Based on Child-in-Care</b>
Section of 1974 RR Act	2(c)(1)	2(c)(1)
Earliest ABD (Legislative Date)	1/1/1975	1/1/1975
Designated ABD	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X
Day After DLW for LPS (Last Person Service)	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X
Employee's ABD	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attained Age 60	X	X
First Day of the Month 6 Months Prior to Filing Date	X	X
First Day of Month Spouse Attained Age 60	X	N/A
First Day of First Full Month Spouse Has Child-In-Care	N/A	X
First Day of Month in Which Spouse No Longer Entitled Based on Child-In-Care	X	N/A

### **111.40.4 Spouse of 60/30 Age and Service Annuitant or 60/30 Disability Annuitant 1-1-1975 through 8-31-1983**

To find the earliest possible spouse 60/30 annuity ABD, locate the column describing the type of spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors

<b>ABD for Spouse of 60/30 Employee Before 9-1-1983 was the Latest of the Following:</b>	<b>Full Age (60/30)</b>	<b>Based on Child-in-Care</b>
Section of RR Act	2(c)(1)	2(c)(1)
Earliest ABD (Legislative Date) for Living-With Female	1/1/1975	1/1/1975
Earliest ABD (Legislative Date) for Dependant Living-With Male	1/1/1975	5/1/1983- (Male Spouse Entitled to Tier 1 Only)
Earliest ABD (Legislative Date) for Non-Dependant Living-With Male	3/1/1977	5/1/1983- (Male Spouse Entitled to Tier 1 Only)
Earliest ABD (Legislative Date) for Non-Living-With Spouse (Male or Female)	8/12/1983	8/12/1983 (Male Spouse Entitled to Tier 1 Only)
Designated ABD	X	X
Day after DLW for RR (or any Pay for Time Lost)	X	X
Day After DLW for LPS (Last Person Service)	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X
Employee's ABD	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attained Age 60	X	X
First Day of the Month 12 Months Prior to Filing Date	Tier 1 < 6/1/1982 and Tier 2 < 9-1-1983*	Tier 1 < 6/1/1982 and Tier 2 < 9-1-1983*
First Day of the Month 6 Months Prior to Filing Date	Tier 1 ≥ 6/1/1982 and Tier 2 ≥ 9-1-1983*	Tier 1 ≥ 6/1/1982 and Tier 2 ≥ 9-1-1983*
First Day of the Month in Which the Spouse Attained Age 60	X	N/A
First Day of Month in Which Spouse had Child-In-Care	N/A	Tier 1 < 9/1/1981 and Tier 2 < 9-1-1983**
First Day of First Full Month Spouse had Child-In-Care	N/A	Tier 1 ≥ 9/1/1981 and Tier 2 ≥ 9-1-1983**
First Day of Month in Which Spouse No Longer Entitled Based on Child-In-Care	X	N/A
<p>* See retroactivity rules in <a href="#">FOM-I-112.20.1</a>  **See First Full Month rules <a href="#">FOM-I-111.3</a></p>		

## 111.50 1974 RR Act ABD Rules Before 9-1-1983 for Employee and Spouse Based on Less Than 30 Years Service

### 111.50.1 Employee Age and Service Annuity Less Than 30 Years Service

To find the ABD, locate the column describing the employee annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>Based on Less than 30 Years Service, the Employee ABD Before 9-1-1983 was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Reduced Age 62</b>
Section of RR Act	2(a)(1)(i))	2(a)(1)(iii)
Earliest ABD (Legislative Date)	1/1/1975	1/1/1975
Designated ABD	X	X
Day After Employee Meets the RR Service Requirement	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X
Day After DLW for LPS (Last Person Service)	X	X
First Day of the Month 12 Months Prior to Filing Date	Tier 1 < 6/1/1982 and Tier 2 < 9-1-1983*	Tier 1 < 6/1/1982 and Tier 2 < 9-1-1983*
First Day of the Month 6 Months Prior to Filing Date	Tier 1 >= 6/1/1982 and Tier 2 >= 9-1-1983*	Tier 1 >= 6/1/1982 and Tier 2 >= 9-1-1983 only when spouse/ divorced spouse annuity could retroact for same 6 month period*
First Day of Month in Which Application Filed	N/A	Tier 1 >= 6/1/1982 and Tier 2 >= 9-1-1983 when no spouse/divorced spouse annuity could retroact for 6 month period*
First Day of the Month in Which Attained Age 65	X	N/A
First Day of the Month In Which Attained Age 62	N/A	Tier 1 < 9/1/1981 and Tier 2 < 9-1-1983**
First Full Month Attained Age 62	N/A	Tier 1 >= 9/1/1981 and

<b>Based on Less than 30 Years Service, the Employee ABD Before 9-1-1983 was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Reduced Age 62</b>
		Tier 2 >= 9-1-1983**
*See retroactivity rules in <a href="#">FOM-I-112.20.1</a> ** See First Full Month rules in <a href="#">FOM-I-111.3</a>		

### 111.50.2 Spouse of Age and Service Annuitant or Disability Annuitant Who Had Less Than 30 Years Service

To find the earliest possible spouse annuity ABD, locate the column describing the type of spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD is the date which corresponds to the latest of the factors.

<b>Based on Less than 30 Years Service, Spouse ABD Before 9-1-1983 was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Reduced Age 62</b>	<b>Based on Child in Care</b>
Section of RR Act	2(c)(1)	2(c)(2)	2(c)(1)
Earliest ABD (Legislative Date) for Living-With Female	1/1/1975	1/1/1975	1/1/1975
Earliest ABD (Legislative Date) for Dependant Living-With Male	1/1/1975	1/1/1975	5/1/1983- (Male Spouse Entitled to Tier 1 Only)
Earliest ABD (Legislative Date) for Non-Dependant Living-With Male	3/1/1977	3/1/1977	5/1/1983- (Male Spouse Entitled to Tier 1 Only)
Earliest ABD (Legislative Date) for Non-Living-With Spouse (Male or Female)	8/12/1983	8/12/1983	8/12/1983 (Male Spouse Entitled to Tier 1 Only)
Designated ABD	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X
Day After DLW for LPS (Last Person Service)	X	X	X
First Day of Month of First Anniversary of Marriage or First Day of Month In Which Marriage Occurred if the Spouse was Natural Parent of EE's child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X	X
Employee's ABD	X	X	X
The First Day of the Month in Which the Disabled Employee Annuitant Attained Age 62	X	X	X

<b>Based on Less than 30 Years Service, Spouse ABD Before 9-1-1983 was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Reduced Age 62</b>	<b>Based on Child in Care</b>
First Day of the Month 12 Months Prior to Filing Date	Tier 1<6/1/1982 and Tier 2<9-1-1983*	Tier 1<6/1/1982 and Tier 2<9-1-1983*	Tier 1<6/1/1982 and Tier 2<9-1-1983*
First Day of the Month 6 Months Prior to Filing Date	Tier 1>=6/1/1982 and Tier 2>=9-1-1983*	N/A	Tier 1>=6/1/1982 and Tier 2>=9-1-1983*
First Day of Month in Which Application Filed	N/A	Tier 1>=6/1/1982 and Tier 2>=9-1-1983*	N/A
The First Day of the Month in Which Spouse Attains Age 65	X	N/A	N/A
First Day of Month In Which Spouse Attained Age 62	N/A	Tier 1>=9/1/1981 and Tier 2>=9-1-1983**	N/A
First Day of First Full Month Spouse Attained Age 62	N/A	Tier 1>=9/1/1981 and Tier 2>=9-1-1983**	N/A
First Day of Month in Which Spouse had Child-In-Care	N/A	N/A	Tier 1>=9/1/1981 and Tier 2>=9-1-1983**
First Day of First Full Month Spouse had Child-In-Care	N/A	N/A	Tier 1>=9/1/1981 and Tier 2>=9-1-1983**
First Day of Month in Which Spouse No Longer Entitled Based on Child-in-Care	X	X	N/A
*See retroactivity rules in <a href="#">FOM-I-112.20.1</a> ** See First Full Month rules in <a href="#">FOM-I-111.3</a>			

## 111.51 1974 RR Act OBD Rules Before 9-1-1983 for Survivor Annuity

To find the earliest possible survivor annuity OBD before 9-1-1983, locate the column describing the type of annuity. Continue down the column, considering all of the eligibility factors shown. The OBD is the date which corresponds to the latest of the factors.

<b>Before 9-1-1983, the Survivor OBD was the Latest of the Following:</b>	<b>Full Age</b>	<b>Reduced Age 62</b>	<b>Based on Disability</b>	<b>Based on Child in Care</b>	<b>Child or Student</b>
Earliest OBD (Legislative Date) for Widow(er), Parent, Child or Student	1/1/1975	1/1/1975	1/1/1975	1/1/1975	1/1/1975
Earliest OBD (Legislative Date) For Remarried Widower and Surviving Divorced Spouse	10/1/1981	10/1/1981	10/1/1981	10/1/1981	N/A
Earliest OBD (Legislative Date) For Dependent Grandchildren,	N/A	N/A	N/A	1/1/1975	1/1/1975
Designated OBD	X	X	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X	X	X
Employee's DOD	X	X	X	X	X

<b>Before 9-1-1983, the Survivor OBD was the Latest of the Following:</b>	<b>Full Age</b>	<b>Reduced Age 62</b>	<b>Based on Disability</b>	<b>Based on Child in Care</b>	<b>Child or Student</b>
12 Months (to the Day) Prior to Application Filing Date if the Application was Filed on or after 9-1-1954	X	X	X	X	X
The First Day of the Month in Which the Widow(er) Attained Age 65	X	N/A	N/A	N/A	N/A
The First Day of the Month in Which the Parent Attained Age 60	X	N/A	N/A	N/A	N/A
The First Day of the Month in Which Widow(er) Attained Age 62	N/A	X	N/A	N/A	N/A
The First Day of the Month in Which Widow(er) Attained Age 50	N/A	N/A	X	N/A	N/A
The First Day of the Month in Which Widow(er) had Child-In-Care	N/A	N/A	N/A	X	N/A
The First Day of the Month in Which the Widow(er) No Longer Entitled Based on Child-in-Care	X	X	X	N/A	N/A
First Day of Month of FTA, if over age 18	N/A	N/A	N/A	N/A	X

## 111.60 1937 RR Act ABD/OBD Rules

### 111.60.1 Employee Age and Service 1937 RR Act Annuities

To find the earliest possible 1937 RR Act employee annuity ABD, locate the column describing the type of employee annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors.

<b>Under the 1937 RR Act, the Employee Age and Service ABD was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Full Age 60</b>	<b>Reduced Age 60 30 or More Years Service</b>	<b>Reduced Age 62 Less than 30 Years Service</b>
Section of 1937 RR Act	2(a)(1)	2(a)(2)	2(a)(3)	2(a)(3)
Earliest ABD (Legislative Date) - Male	6/24/1937	7/1/1974	6/24/1937	10-1-1961
Earliest ABD (Legislative Date) – Female	6/24/1937	1/1/1947	6/24/1937	6-1-1959
Designated ABD	X	X	X	X
Day After Employee Meets the RR Service Requirement	X	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X	X
Day After DLW for LPS (Last Person Service)	X	X	X	X

<b>Under the 1937 RR Act, the Employee Age and Service ABD was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Full Age 60</b>	<b>Reduced Age 60 30 or More Years Service</b>	<b>Reduced Age 62 Less than 30 Years Service</b>
12 Months (to the Day) Prior to Filing Date if the Application was Filed on or after 9-1-1954	X	X	X	X
The First Day of the Month Attained Age 65	X	N/A	N/A	N/A
Day Attained Age 62	N/A	N/A	N/A	X
Day Attained Age 60	N/A	X	X	N/A

### 111.60.2 Employee Disability 1937 RR Act Annuities

<b>Under Current Rules, the Employee Disability Annuity ABD is the Latest of the Following:</b>	<b>Occupational Disability</b>	<b>Total and Permanent Based on at least 120 months RR Service</b>
Section of RR Act	2(a)(4)	2(a)(5)
Earliest ABD (Legislative Date)	1-1-1947	6-24-1937
Designated ABD	X	X
First Day of Month After Month Employee Meets the RR Service Requirement	X	X
Day after DLW for RR or Pay for Time Lost	X	X
Day after DLW for Last Person Service (LPS)	X	X
First Day of Month 12 Months Prior to Filing Date	X	X
First Day of Month Age 60 Attained If Less Than 20 Years of Service	X	N/A

### 111.60.3 Spouse 1937 RR Act Annuities

To find the earliest possible 1937 RR Act spouse annuity ABD, locate the column describing the type of spouse annuity. Continue down the column, considering all of the eligibility factors shown. The ABD was the date which corresponded to the latest of the factors. Note that the 1937 RR Act did not provide for a spouse annuity at age 60.

<b>Under the 1937 RR Act, the Spouse ABD was the Latest of the Following:</b>	<b>Full Age 65</b>	<b>Reduced Age 62</b>	<b>Based on Child in Care</b>
Earliest ABD (Legislative Date) for Living-With Female	11/1/1951	6/1/1959	11/1/1951 when Child Qualified for CIA 11/1/1966 when Child Did Not Qualify for CIA
Earliest ABD (Legislative Date) for Dependant Living-With Male	11/1/1951	8/1/1959	N/A
Earliest ABD (Legislative Date) for Dependant Stepchild	N/A	N/A	2/1/1968
Earliest ABD (Legislative Date) for Dependant Grandchild or Child disabled Before Age 22	N/A	N/A	1/1/1973
Designated ABD	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X
Day After DLW for LPS (Last Person Service)	X	X	X
First Anniversary of Marriage or Day of Marriage if the Spouse was Natural Parent of EE's Child or if Spouse Entitled to WIA or PIA in Month Before Marriage	X	X	X
Employee's ABD	X	X	X
Day the Employee Annuitant Attained Age 65	X	X	X
12 Months (to the Day) Prior to Application Filing Date if the Application was Filed on or after 9-1-1954	X	X	X
The First Day of the Month in Which the Spouse Attained Age 65	X	N/A	N/A
Day Spouse Attained Age 62	N/A	X	N/A
Day Spouse had Child-In-Care	N/A	N/A	X

#### 111.60.4 Survivor 1937 RR Act Annuities

To find the earliest possible 1937 survivor annuity OBD, locate the column describing the type of annuity. Continue down the column, considering all of the eligibility factors shown. The OBD is the date which corresponds to the latest of the factors.

<b>Under the 1937 RR Act, the Survivor OBD was the Latest of the Following:</b>	<b>Full Age</b>	<b>Reduced Age 60</b>	<b>Based on Disability</b>	<b>Based on Child in Care</b>	<b>Child or Student</b>
Earliest OBD (Legislative Date) for Widow(er) or Child Under Age 18	1/1/1947	1/1/1947	2/1/1968 for Widows	1/1/1947 for Widow	1/1/1947

<b>Under the 1937 RR Act, the Survivor OBD was the Latest of the Following:</b>	<b>Full Age</b>	<b>Reduced Age 60</b>	<b>Based on Disability</b>	<b>Based on Child in Care</b>	<b>Child or Student</b>
			3/1/1977 for Non-dependent Widowers	11/1/1966 for Widower	
Earliest OBD (Legislative Date) Sole-Surviving Dependent Parent	1/1/1947	N/A	N/A	N/A	N/A
Earliest OBD (Legislative Date) for Disabled Child If Disabled Before Attaining Age 18	N/A	N/A	N/A	9/1/1954	9/1/1954
Earliest OBD (Legislative Date) for Child Adopted Within 2 Years of Employee's Death	N/A	N/A	N/A	9/1/1958	9/1/1958
Earliest OBD (Legislative Date) for Child Adopted (More than 2 Years) After Employee's Death or Dependant Stepchild	N/A	N/A	N/A	2/1/1968	2/1/1968
Earliest OBD (Legislative Date) for Dependant Grandchild or Child Disabled Before Attaining Age 22	N/A	N/A	N/A	1/1/1973	1/1/1973
Earliest OBD (Legislative Date) for Student Under Age 22	N/A	N/A	N/A	N/A	1/1/1973
Designated OBD	X	X	X	X	X
Day After DLW for RR (or Pay For Time Lost)	X	X	X	X	X
Employee's DOD	X	X	X	X	X
12 Months (to the Day) Prior to Application Filing Date if the Application was Filed on or after 9-1-1954	X	X	X	X	X
The First Day of the Month in Which the Widow(er) or Parent Attained Age 65	X	N/A	N/A	N/A	N/A
Day Widow(er) Attained Age 60	N/A	X	N/A	N/A	N/A
Day Widow(er) Attained Age 50	N/A	N/A	X	N/A	N/A
Day Parent Attained Age 60 9/1/1954 or later (age 65 before 9/1/1954)	X	N/A	N/A	N/A	N/A
Day Widow(er) had Child-In-Care	N/A	N/A	N/A	X	X
Day Widow(er) No Longer Entitled Based on Child-In-Care	X	X	X	N/A	N/A
First Day of Month of FTA, if over age 18	N/A	N/A	N/A	N/A	X

