

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

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 <i>Full Retirement Age</i> .		
CHART 1 - AGE REQUIREMENTS - EMPLOYEE HAS AT LEAST 360 MONTHS OF RAILROAD SERVICE			
If the employee is retired based on:	and the employee:	your spouse annuity can begin the first full month you are age 60. Your Tier 1 will:	Your Tier 2 will:
age with an annuity beginning date of July 1974 or later, and both attained age 60 and acquired 360 months of railroad service before July 1984,	retired at age 60 or later,	not have an age reduction. Note: For these cases, the spouse annuity could not have begun before January 1, 1975.	not have an age reduction.
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, and the employee annuity began 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 <i>Full Retirement Age</i> when both you and the employee are age 62.	not have an age reduction.
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.
age with at least 360 months of railroad service, and an annuity beginning date of January 2002, or later,	retired at age 60 or later,	not have an age reduction.	not have an age reduction.
disability with at least 360 months of railroad 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.
disability with at least 360 months of railroad service and an employee annuity beginning date of July 1, 1984, or later,	has attained age 60,	have an age reduction depending on the date your spouse annuity begins. <ul style="list-style-type: none"> • If your spouse annuity begins before January 2002, and begins before your <i>Full Retirement Age</i>, your Tier 1 will have an age reduction. (If you are age 60-61 on the date your spouse annuity begins, you are deemed to be age 62.) • 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 - AGE REQUIREMENTS – EMPLOYEE HAS 60 - 359 MONTHS OF RAILROAD SERVICE			
Your spouse annuity can begin the first full month you are age 62 if the employee's annuity began:	and the employee has attained:	Your Tier 1 will have an age reduction if you retire before attaining:	Your Tier 2 will have an age reduction if you retire before attaining:
before 1975 based on at least 120 months of railroad service,	age 65.	your <i>Full Retirement Age</i> .	age 65.
in 1975, or later, based on at least 120 months of railroad service, including some railroad service before August 12, 1983,	age 62.	your <i>Full Retirement Age</i> .	age 65.
in 1975, or later, based on at least 120 months of railroad service and no railroad service before August 12, 1983,	age 62.	your <i>Full Retirement Age</i> .	your <i>Full Retirement Age</i> .
in January 2002 or later, based on the 5-year vesting provision and some railroad service before August 12, 1983,	age 62.	your <i>Full Retirement Age</i> .	age 65.
in January 2002 or later, based on the 5-year vesting provision and no railroad service before August 12, 1983,	age 62.	your <i>Full Retirement Age</i> .	your <i>Full Retirement Age</i> .

Full Retirement Age for Annuities Based on Less Than 30 years of Service	<p>The term <i>Full Retirement Age</i> 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 has less than 30 years of railroad service, <i>Full Retirement Age</i> for spouses who were born before January 2, 1938, is age 65. The <i>Full Retirement Age</i> for persons born after January 1, 1938, will gradually increase over a 20-year period to age 67, as illustrated in the following chart. Your Tier 2 age reduction will be based on age 65 if the employee has any creditable railroad service before August 12, 1983. Otherwise, the <i>Full Retirement Age</i> for your Tier 2 age reduction will gradually increase in the same manner as <i>Full Retirement Age</i> for your Tier 1 age reduction.</p>
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CHART 3 - DETERMINING YOUR FULL RETIREMENT AGE			
If you were born:	then your <i>Full Retirement Age</i> is:	If you were born:	then your <i>Full Retirement Age</i> 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		

Note: Regardless of the number of the employee's years of railroad service, *Full Retirement Age* also affects Tier 1 component work deductions, as described in Chart 4.

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Marriage Requirement	<p>In order to qualify for a spouse annuity, you must be the legal spouse of the employee and you must have been legally married to the railroad employee for at least one year immediately prior to filing your spouse annuity application. The one-year marriage requirement is waived if any of the following conditions exist:</p> <ul style="list-style-type: none"> • 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; or, • you had met the one-year marriage requirement for a previous spouse annuity on the employee's earnings record before a divorce and you later remarried that employee.
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Definition of Child-in-Care	<p>You may qualify for a spouse annuity 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 <i>Child-in-Care</i> 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>
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Tier 1 Work Deductions for Non-Railroad Earnings After Annuity Begins	<p>Your Tier 1 component is not reduced for your nonrailroad earnings if you are receiving social security benefits.</p> <p>Otherwise, the <i>Annual Earnings Exempt Amount</i> is the amount of nonrailroad earnings you can have in a calendar year without losing part of your Tier 1 component. Use Chart 3 to determine your <i>Full Retirement Age</i>. Then refer to Chart 4 below and Form G-77a <i>How Work Affects Your Railroad Retirement Benefits</i>.</p> <p>The employee's nonrailroad earnings over the <i>Annual Earnings Exempt Amount</i> for the employee's age group may also cause work deductions in your Tier 1 component.</p>
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CHART 4 - DETERMINING YOUR WORK DEDUCTIONS

For a year in which:	you may lose up to \$1 in your Tier 1 component for every:	The work deduction:
you attain <i>Full Retirement Age</i> ,	\$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 <i>Full Retirement Age</i> .	is removed effective the month in which you attain <i>Full Retirement Age</i> .
you are under your <i>Full Retirement Age</i> 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 <i>Full Retirement Age</i> .	is removed effective the month in which you attain <i>Full Retirement Age</i> .

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<p>5-Year Vesting Cases</p>	<p>If the employee's annuity is based on 60-119 months of railroad service with at least 60 months of railroad service after 1995 (5-year vesting case), you qualify for a spouse annuity Tier 1 component only when the employee qualifies for a Tier 1 component. Refer to Form G-177 <i>General Conditions Under Which a Person is Entitled to a Railroad Retirement Employee Annuity</i> for further information about the employee's requirement for an <i>SSA Insured Status</i> for a Tier 1 component.</p>
<p>Tier 2 Work Deduction for Last Pre-Retirement Non-Railroad Earnings After Annuity Begins</p>	<p>Your <i>Last Pre-Retirement Nonrailroad Employer</i> is defined as any nonrailroad individual, company or institution for whom you are working on the date your spouse annuity begins or for whom you stopped working in order to receive a spouse annuity. (For more information, see Form G-177L <i>General Information about Continuing in or Returning to Nonrailroad Employment after Retirement under the Railroad Retirement Act.</i>)</p> <p>After the date your spouse annuity begins, any earnings from your <i>Last Pre-Retirement Nonrailroad Employer</i>, at any age, may cause work deductions to your Tier 2 component. The deduction is \$1 for every \$2 earned (subject to the maximum reduction of 50% of your Tier 2 component). If the employee has a <i>Last Pre-Retirement Nonrailroad Employer</i> and the employee works for that employer after the date your spouse annuity begins, those <i>Last Pre-Retirement Nonrailroad Employer</i> earnings can also cause work deductions to your Tier 2 component.</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 a different 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 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 for download at www.rrb.gov.