§ 226.30 Spouse or divorced spouse annuity

(a) General. The tier I of a spouse or divorced spouse annuity is an amount similar to the social security benefit the spouse or divorced spouse would receive based on the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier I is simply 50% of the employee tier I until the first month throughout which both the employee and spouse are age 62 at which time the tier I is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier I may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier I rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier I is not rounded until all reductions have been made. See §226.10(a).

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§ 226.31 Spouse or divorced spouse tier I.

(a) General. The tier of a spouse or divorced spouse tier I is the total of the employee tier I, tier II, and vested dual benefit amounts, from §§226.10–226.12.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier I may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier I rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier I is not rounded until all reductions have been made. See §226.10(a).

§ 226.32 Spouse or divorced spouse tier II.

(a) General. The tier II of a spouse or divorced spouse annuity is an amount similar to the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier II is simply 50% of the employee tier II until the first month throughout which both the employee and spouse are age 62 at which time the tier II is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier II may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier II rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier II is not rounded until all reductions have been made. See §226.10(a).

§ 226.33 Spouse or divorced spouse tier III.

(a) General. The tier III of a spouse or divorced spouse annuity is an amount similar to the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier III is simply 50% of the employee tier III until the first month throughout which both the employee and spouse are age 62 at which time the tier III is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier III may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier III rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier III is not rounded until all reductions have been made. See §226.10(a).

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§ 226.34 Spouse or divorced spouse tier I.

(a) General. The tier I of a spouse or divorced spouse annuity is an amount similar to the social security benefit the spouse or divorced spouse would receive based on the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier I is simply 50% of the employee tier I until the first month throughout which both the employee and spouse are age 62 at which time the tier I is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier I may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier I rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier I is not rounded until all reductions have been made. See §226.10(a).

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§ 226.35 Spouse or divorced spouse tier II.

(a) General. The tier II of a spouse or divorced spouse annuity is an amount similar to the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier II is simply 50% of the employee tier II until the first month throughout which both the employee and spouse are age 62 at which time the tier II is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier II may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier II rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier II is not rounded until all reductions have been made. See §226.10(a).

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§ 226.36 Spouse or divorced spouse tier III.

(a) General. The tier III of a spouse or divorced spouse annuity is an amount similar to the employee’s combined railroad and social security earnings. In the case of an employee who retires before age 62 with 30 years of service, the spouse tier III is simply 50% of the employee tier III until the first month throughout which both the employee and spouse are age 62 at which time the tier III is an amount similar to the social security benefit on the employee’s combined railroad and social security earnings.

(b) Reduction for other disability benefits. The spouse or divorced spouse tier III may be adjusted for other disability benefits received by a disabled employee, as shown in §§226.70–226.74 of this part.

(c) Reduction for government pension. The amount in paragraphs (a) or (b) of this section is reduced (but not below zero) by the amount of any government pension payable on the spouse’s or divorced spouse’s earnings record, as described in §226.31 of this part.

(d) Rounding. The last tier III rate from paragraph (a), (b) or (c) of this section, if not a multiple of $1, is rounded to the next lower multiple of $1. However, in cases in which the spouse is in receipt of an age reduced 60/30 annuity or in which the employee with 30 years of service began a disability annuity July 1, 1984, or later, the spouse tier III is not rounded until all reductions have been made. See §226.10(a).