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# **EVENTS THAT AFFECT A SURVIVOR ANNUITY**

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***United States of America  
Railroad Retirement Board***

**Visit our Web site at [www.rrb.gov](http://www.rrb.gov)**

**RB-9s (03-09)**

## Events That Must Be Reported

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- *If you file for any social security benefits or if there is a change in the amount of those benefits.*
- *If you file for a public service pension from a Federal, State, or local government.*
- *If there is a change in your earnings estimate.*
- *If you begin working for any railroad employer.*
- *If there is a change in your mailing address.*
- *If any person for whom you are receiving an annuity dies or leaves your care.*
- *If you are receiving a disability annuity and your condition improves or you become able to work.*
- *If there is a change in your marital status.*
- *If a qualifying child leaves your care, marries, or dies.*
- *If there is a change in your school attendance.*

# Introduction

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**R**ights to benefits under the Railroad Retirement Act also carry responsibilities for reporting events that may affect the payment of these benefits.

This booklet describes the different events that will affect your survivor annuity. You should be aware of these events and notify the Railroad Retirement Board (RRB) immediately if any apply to you or someone you are receiving annuity payments on behalf of.

The events you should report can affect:

- the amount of the monthly payment; or
- the total amount which can be paid during the year; or
- whether we can continue to pay an annuity at all.

Keep this booklet handy and refer to it occasionally to see if you need to report an event to the RRB. Failure to promptly notify the RRB can result in an overpayment that could cause the annuity to be suspended, and may result in the assessment of interest and penalties.

## **Responsibility For Reporting Events To The RRB**

If you are receiving your own annuity, it is your responsibility to report the events that affect your annuity. If you are receiving annuity payments on behalf of someone who is unable to handle his or her own funds, you are responsible for knowing if anything has happened which would affect that person's annuity and for making the necessary report to the RRB.

### **If You Fail To Report An Event**

Failure to promptly notify the RRB can result in an overpayment that could cause the annuity to be suspended and may result in the assessment of interest and penalties. Failure to promptly report an event that results in an overpayment will generally constitute "fault" on your part, requiring that the overpayment be repaid.

### **How To Report An Event**

If, at any time, you find that one of the conditions explained in this booklet applies to you, you should immediately notify the RRB in writing. The notice should be sent to the nearest RRB field office. However, if you wish, you may also call or visit that office. If you need to personally visit one of our field offices, please call for an appointment. You will not be refused service if you do not have an appointment, but RRB representatives can serve you better if an appointment is made.

Most RRB offices are open to the public from 9:00 a.m. until 3:30 p.m., Monday through Friday. To locate the nearest RRB office, visit our Web site at [www.rrb.gov](http://www.rrb.gov) or call 877-772-5772.

## **Information To Include When Reporting An Event**

When you report an event, be sure to include the following information in your letter:

- Your railroad retirement claim number. This number can be found at the top of your application receipt or on any correspondence from the RRB;
- the railroad employee's name;
- your name (or the annuitant's name if you are reporting an event for someone else);
- your address and daytime telephone number;
- a clear explanation of what event you are reporting;
- the exact date (month, day, year) that the event occurred; and
- the name of your employer and your estimated earnings for the year if you are reporting work.

## **Events To Be Reported**

The following sections describe the effect certain events will have on your annuity.

### **If You Receive Social Security Benefits**

The Tier I portion of a survivor annuity is reduced by the amount of any social security benefit you receive. When you file for social security benefits, the Social Security Administration will decide if you are entitled to receive benefits and compute the amount of the benefit which is payable.

Usually, the actual payment will be made by the RRB and will be combined with your regular monthly railroad retirement payment. If you begin to receive a separate social security payment, you should notify your local RRB office immediately. It is your responsibility to notify us. Do not rely on the Social Security Administration to tell us about your benefits.

You should also notify the RRB if you are receiving separate social security payments and these benefits are adjusted for a reason other than a normal cost-of-living increase.

### **If You Receive A Public Service Pension**

In most situations, the Tier I portion of a survivor annuity is reduced by the amount of any public service pension payments which you are entitled to receive. A public service pension is the retirement pay you receive because you worked for the Federal Government of the United States, a state government, or any political subdivision of a state, such as a city, county, town, village or school. If you start to receive a public service pension, you must notify the RRB.

The RRB should also be notified if there are any changes in the amount of the public service pension you are receiving or if you are offered the opportunity to receive a public service pension payment, but you choose to receive a one-time payment instead of monthly payments.

### **Work Outside The Railroad Industry**

Work outside the railroad industry may affect your annuity payments. Whenever you expect your earnings for any year to be more than the annual earnings exempt amount, you must

notify the nearest RRB office promptly. If you do not notify us promptly, you may be paid more than you are due and have to refund the overpayment. Refer to **Form G-77**, *How Earnings Affect Payment of Survivor Annuities*, for the annual earnings exempt amounts.

If the previous earnings estimate you furnished should change, immediately notify the nearest RRB office. For example, if you stop working or you realize you will not earn as much as you previously reported, or you work more hours and will increase your income.

You must continue to report earnings over the annual earnings exempt amount until you attain full retirement age. Refer to Booklet RB-17, *Survivor Annuities*, for a complete explanation of full retirement age.

## **Earnings**

In general, earnings restrictions apply to gross earnings from employment and net earnings from self-employment. If your earnings are from an employer covered under the Social Security Act, the amount of earnings you should report is the amount reported for social security (FICA) tax. Net earnings from self-employment equal the amount of gross income minus expenses that were reported for social security tax under the Self-Employment Contributions Act (SECA). Add your earnings from employment and self-employment together to determine the total earnings for the year.

Do not include as “earnings” any money that you received for any reason other than work, such as interest from savings, income investments, gifts, inheritances, buy-outs, pensions or other retirement benefits.

For any year in which you will not attain full retirement age, you will lose \$1 in benefits for every \$2 of earnings over the annual exempt amount. For the year in which you attain full retirement age, you will lose \$1 in benefits for every \$3 of earnings over the exempt amount. Beginning with the month in which you actually attain full retirement age, earnings restrictions no longer apply.

If you work outside the United States for 45 or more hours in a month and do not pay FICA or SECA taxes for this work, you will lose part of your annuity regardless of the amount of money you earn.

### **Work In The Railroad Industry**

You cannot be paid an RRB survivor benefit for any month in which you worked for a railroad or other employer in the railroad industry. This applies no matter how old you are or how much money you earn from that work. You must notify the RRB immediately if you go to work for the railroad industry.

### **Change Of Address**

To avoid a delay in receiving your check or important information, notify the nearest RRB office immediately if you change your address. It is important to report all changes to the RRB even if your payments are sent directly to a financial institution. Even if you are on direct deposit, the RRB still keeps your home mailing address on record. This mailing address is used to send any material other than your payments to you (such as notices of cost-of-living increases, Medicare information, new annual earnings exempt amounts, and tax statements). If you do not report your change of address and your payments are on direct deposit, the RRB cannot be responsible for any important information that you do not receive.

To notify the RRB of a change of address, write or call your local RRB office and provide the following information:

- Your RRB claim number;
- your name;
- your new address;
- your old address; and,
- the date you will start receiving mail at the new address.

### **If The Annuitant Dies**

An annuity is not payable for the month of death. It is therefore important to promptly notify your local RRB office if the annuitant dies. If a check is received after the date of death, it must be returned to your local office or to the Treasury Department address on the envelope. If a direct deposit payment is made after the date of death, you should be aware that the financial institution is required to remove the amount and return it to the Treasury Department when they receive notice of death. While we realize that this is a stressful time, the prompt reporting of the death of the annuitant will prevent the added stress of erroneous payments.

### **If Your Disability Improves Or You Are Able To Return To Work**

If you are disabled and your condition improves, or your doctor tells you that you are able to work, or you return to work, you should promptly tell the nearest RRB field office. These changes in your status can affect your entitlement to a disability annuity.

## **If An Annuitant's Marital Status Changes Or A Qualifying Child Leaves Your Care**

If you are receiving a survivor annuity, you must notify the nearest RRB office if you or a child in your care marries after beginning to receive an annuity. The marriage of a survivor annuitant may cause either the annuity to terminate or the amount of the annuity to change. Also, if your annuity is based on having a minor or disabled child in your care, your annuity will end when the child leaves your care, marries, or is no longer disabled.

## **School Attendance**

If you are a child who is receiving a student's annuity, you must immediately notify the RRB if any of the following events occur:

- You change schools;
- you stop attending school and you do not intend to resume full-time attendance within the next four months;
- you are temporarily not attending school full-time and you had originally intended to return to full-time attendance within four months, but you find you will not be returning to school or your return will be delayed;
- you reduced your school attendance to less than full-time, or less than 20 hours per week; or
- you start attending school at the request of, or as a requirement of, an employer.

## **Nondiscrimination on the Basis of Disability**

Under Section 504 of the Rehabilitation Act of 1973 and Railroad Retirement Board (RRB) regulations, no qualified person may be discriminated against on the basis of disability. RRB programs and activities must be accessible to all qualified applicants and beneficiaries, including those who are vision- or hearing-impaired. Disabled persons needing assistance (including auxiliary aids or program information in accessible formats) should contact the nearest RRB office. Complaints of alleged discrimination by the RRB on the basis of disability must be filed within 90 days in writing with the **Director of Administration, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.** Questions about individual rights under this regulation may be directed to the RRB's Director of Equal Opportunity at the same address shown above.

## **Fraud and Abuse Hot Line**

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Call the toll-free **Fraud & Abuse Hot Line** if you have reason to believe that someone is receiving railroad retirement benefits to which (s)he is not entitled; that persons responsible for the financial affairs of minors or incompetent beneficiaries are misappropriating benefits; or that a doctor, hospital, or other provider of health care services is performing unnecessary or inappropriate services or is billing Medicare for services not received. You may also use the **Hot Line** to report any suspected misconduct by a Railroad Retirement Board (RRB) employee. The **Hot Line** has been installed by the RRB's Inspector General to receive any evidence of fraud or abuse of the RRB's benefit programs.

Call (toll-free) 1-800-772-4258. Or you may send your complaints in writing to: Railroad Retirement Board, OIG, Hot Line Officer, 844 North Rush Street, Chicago, Illinois 60611-2092.

Please do **NOT** call the Inspector General's Hot Line with questions about eligibility requirements, delayed claims, or similar problems. Such matters should be directed to the nearest RRB field office.