

2.6.1 General

Prior to the enactment of the 1946 Amendments, which provided for payment of monthly insurance annuities to widows, an employee could elect to receive a reduced annuity during his lifetime in order to provide for the payment of an annuity to his widow after his death. The right of an employee to make a J&S election ended on 7-31-46. However, a valid election made by him before that date remains effective if:

- An employee annuity (reduced for a J&S election) was awarded before 7-31-46, or
- An employee annuity (reduced for a J&S election) began to accrue before 1-1-47 and the election was not revoked before 8-1-47 (in this instance the annuity need not have been awarded before 7-31-46), or
- An employee annuity (reduced for a J&S election) began to accrue after 12-31-46 and the employee reaffirmed his election before 1-1-48.

2.6.2 When A Joint And Survivor Annuity (JA) Was Payable

When an effective J&S election is in file, a JA became payable to the widow IMMEDIATELY upon the employee's death. The widow did not need to meet any "living with" or age requirement.

To establish entitlement to a JA, the widow must have filed an

AA-21. However, if she was eligible for any other survivor benefit under the RR Act, the application filed for the other benefit, i.e., LSDP, WIA etc., was used to pay the JA.

A JA was payable whether or not the employee had an insured status under the RR Act at death. Therefore, it was not necessary to have a certification of compensation and wages (G-90) in the folder before making an award.

A JA was not payable if the employee revoked his option, or if he did not reaffirm his election (see sec. 2.6.1), or if his marriage was dissolved before his death.

2.6.3 Beginning Date

The beginning date for a JA was the first day of the month in which the employee annuitant died. The filing date of the surviving widow's application had no bearing on the ABD.

2.6.4 Amount Of JA

- A. General - The amount of a JA was a certain percentage (100%, 75% or 50%) of the employee's retirement annuity after reduction for his J&S election.

(In the event a tier summary is required, the JA amount should be shown in the tier 2 section of Form G-369.)

- B. Options Available - An employee could elect one of the 3 following options:
1. OPTION A - 100% of the reduced annuity payable to the employee annuitant, or
 2. OPTION B - 75% of that annuity, or
 3. OPTION C - 50% of that annuity.
- C. Determining Applicable Option - If a J&S annuity was awarded the employee, the applicable option was determined from the latest award form in the claim folder. On award forms with a design date of 8-52 or earlier, the J&S information was shown in a Block headed "Reduced Annuity under Joint and Survivor Option _____". On later award forms, this statement is shown in the remarks block.

If the employee annuity began to accrue, but was not awarded before the employee died, check the claims folder for a J&S election or reaffirmation of election signed by the employee. The applicable option will be shown on the election.

In any case, review the material in file to make sure that the correct option is being paid or that the option was not revoked at a later date.

2.6.5 Events That Do Not Affect JA

- A. Entitlement to other RRA benefits.
- B. The widow's employment (excess earnings or RR employment are not applicable).
- C. The widow's remarriage. (Although entitlement to insurance annuities was terminated by remarriage prior to October 1981, entitlement to a JA continued even if the remarriage took place before the JA was awarded.
- D. Cost-of-living increases. A JA is not subject to cost-of-living increases.

2.6.6 Effect Of JA On Other RR Benefits

Entitlement to a JA did not affect a widow's eligibility for an insurance annuity, an LSDP, or an RLS. A JA did not reduce the O/M formula rate of an insurance annuity.

2.6.7 When JA Terminates

A JA terminates with the month before the death of the widow. There are no other terminating events.

Joint and survivor annuity payments due but unpaid at death are payable in the same manner as any other accrued survivor annuity.

2.6.8 Evidence Requirements

The following evidence was required before a JA could be paid:

Evidence	When Required
Application (AA-21 or other survivor benefit application)	Always.
Death of employee annuitant	Always.

