

**§ 225.31**

(c) Credit earned by the employee does not extend to the employee's spouse or divorced spouse.

[54 FR 12903, Mar. 29, 1989, as amended at 68 FR 39010, July 1, 2003]

**§ 225.31 PIA's to which DRC's are added.**

(a) DRC's can be added to the following PIA's when used in computing the following benefits:

- (1) Tier I PIA used in computing a retirement employee annuity.
- (2) Overall Minimum PIA used in computing a retirement employee annuity.
- (3) Survivor Tier I PIA used in computing a widow(er), remarried widow(er) or surviving divorced spouse annuity based on age or disability.
- (4) Employee RIB PIA used in computing a widow(er), remarried widow(er) or surviving divorced spouse annuity based on age or disability.
- (5) RLS PIA used in computing the amount of the residual lump-sum payable (as explained in part 234 of this chapter).

**§ 225.32 DRC's and the Special Minimum PIA.**

Delayed retirement credits cannot be added to the Special Minimum PIA. Delayed retirement credits can only be added to the regular PIA's used in computing the benefits outlined in § 225.31.

**§ 225.33 Months for which DRC's are due.**

- (a) A DRC is due for each month after 1970 in which the employee is—
- (1) Full retirement age or older and under age 70 (72 before 1984); and
  - (2) Fully insured under section 214(a) of the Social Security Act based on combined railroad and social security earnings; and either—
    - (i) Is not entitled to an annuity because he or she did not apply for an annuity; or
    - (ii) Is entitled to an annuity but has the full amount of the tier I and vested dual benefit work deduction component (described in part 226 of this chapter) or the social security overall minimum rate (described in part 229 of this chapter) withheld because of earnings in excess of the exempt amount (as explained in part 230 of this chapter).

(b) The months for which credit is due need not be consecutive.

[54 FR 12903, Mar. 29, 1989, as amended at 68 FR 39010, July 1, 2003]

**§ 225.34 How the amount of the DRC is figured.**

- (a) The amount of the DRC depends on—
- (1) The year the employee reaches full retirement age; and
  - (2) The number of months for which the credit is due, as explained in § 225.33.
- (b) The percent given in paragraph (b)(1), (2), or (3) of this section is multiplied by the PIA; that product is then multiplied by the number of months for which credit is due and rounded to the next lowest multiple of \$0.10, if the answer is not already a multiple of \$0.10. The result is the DRC which is added to the PIA.

- (1) *Employee attained age 65 before 1982.* The DRC equals one-twelfth of one percent of the PIA times the number of months after 1970 in which the employee is age 65 or older and for which credit is due.
- (2) *Employee attains age 65 after 1981 and before 1990.* The DRC equals one-fourth of one percent of the PIA times the number of months in which the employee is age 65 or older and for which credit is due.
- (3) *Employee attains age 65 in 1990 and before 2003.*

(i) The rate of the DRC (one-fourth of one percent) is increased by one-twenty-fourth of one percent in each even year through 2002. Therefore, depending on when the employee attains age 65, the DRC percent will be as follows:

| Year employee attains age 65 | Delayed retirement credit percent |
|------------------------------|-----------------------------------|
| 1990 .....                   | 7/24 of 1%.                       |
| 1991 .....                   | Do.                               |
| 1992 .....                   | 1/3 of 1%.                        |
| 1993 .....                   | Do.                               |
| 1994 .....                   | 3/8 of 1%.                        |
| 1995 .....                   | Do.                               |
| 1996 .....                   | 5/12 of 1%.                       |
| 1997 .....                   | Do.                               |
| 1998 .....                   | 11/24 of 1%.                      |
| 1999 .....                   | Do.                               |
| 2000 .....                   | 1/2 of 1%.                        |
| 2001 .....                   | Do.                               |
| 2002 .....                   | 13/24 of 1%.                      |