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Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 12 for contact details).

The information in this booklet is correct at the time of publication. This booklet is intended as a guide only, and is not a legal interpretation.



# Social Security Agreement between Ireland and the United States of America

This leaflet is a brief guide to the Social Security Agreement between Ireland and the United States of America which came into force on 1 September 1993.

## 1. What is the purpose of the Agreement?

The main purpose of the Agreement is to protect the pension rights of people who have worked and paid reckonable social security contributions in both Ireland and the U.S.A..

The Agreement does this by allowing social security contributions paid in one country to be counted towards qualifying for certain payments in the other country.

The Agreement also deals with the social security status of workers who are sent on temporary assignments from one country to the other.

## 2. Who does this Agreement cover?

The Agreement covers you if you have been subject to the social security laws of both Ireland and the U.S.A..

Self-employed contributors are also covered by the Agreement. It also extends to your dependants and survivors, for example Widow's, Widower's or Surviving Civil Partner's (Contributory) and Guardian (Contributory) Pensions.

### 3. Which payments are covered by the Agreement?

The **Irish** payments covered under the Agreement are:

- State Pension (Contributory) (payable at age 66),
  - State Pension (Transition) (payable at age 65),
  - Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension,
  - Guardian's Payment (Contributory),
  - Invalidity Pension,
- and**
- Bereavement Grant.

The **U.S.A.** payments covered are those available under the Federal OASDI (Old-Age, Survivors, and Disability Insurance) Programme, in particular those relating to:

- Retirement Pension,
  - Survivors Benefits,
  - Disability Benefit,
- and**
- Family Benefits for dependants of retired or disabled workers.

### 4. Which country's Social Security laws apply?

In general, you are subject to the Social Security legislation of the country where you work.

Therefore, if you come to work in Ireland you will normally be subject to Irish social security law and pay social insurance (PRSI) contributions here.

Similarly, if you go to work in the U.S.A., you will be subject to the U.S.A. social security laws and may have to pay social security contributions there.

## Temporary Assignments

If you are sent by an Irish employer to work in the U.S.A. on a temporary assignment, you will continue to pay Irish PRSI contributions up to the first five (5) years of your employment in the U.S.A..

Therefore, if you are at present working in Ireland and are being sent to work in the U.S.A. on a temporary assignment, you or your employer should contact the following section:

### **PRSI Special Collections**

Department of Social Protection  
Cork Road  
Waterford

LoCall 1890 690 690 (from the Republic of Ireland only), or  
+353 14 715898 (from Northern Ireland or overseas)

This should be done as early as possible, so that the necessary forms and advice can be given.

## 5. How does the Agreement benefit me?

You may qualify for social welfare payments based on a combined Irish and U.S.A. contribution record if you do not have enough contributions on either record alone.

## 6. How are payments calculated?

### Irish Payments

Under the provisions of the Agreement, contributions paid in the U.S.A. can be used to satisfy the PRSI conditions for Irish payments.

However, you must have a minimum amount of Irish PRSI contributions to be eligible to combine U.S.A. and Irish Social Security contributions.

In the case of State Pension (Contributory), State Pension (Transition), Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension and Invalidity Pension, you will need to have worked in Ireland and have a minimum of 52 Irish contributions paid or credited.

Once these conditions are satisfied a formula (see below) is used in order to establish the rate payable for:

- State Pension (Contributory),
- State Pension (Transition),
- Invalidity Pension, and
- Widow's, Widower's and Surviving Civil Partner's (Contributory) Pension.

### Formula for calculating pension where Irish and U.S.A. contributions are involved.

Total number of Irish contributions

**multiplied by**

Amount of pension due if all the contributions were made in Ireland

**and then divide by**

Total combined contributions in Ireland and the U.S.A.

The social insurance conditions vary slightly depending on the other country or countries involved.

## Example:

The following is an example of how we work out a pension if you have social insurance paid both in Ireland and the U.S.A.

You have 280 Irish and 560 U.S.A. contributions over 35 years from the date you started insurable employment up to the end of the tax year before you reach pension age.

### Step 1

We work out the 'notional' pension that you would get if all your contributions, both Irish and the U.S.A., were Irish contributions. To do this, we add together the Irish and the U.S.A. contributions and then we divide the total by the number of years to get the yearly average number of contributions.

Contributions

$$\begin{array}{r} 280 \text{ Irish} + 560 \text{ U.S.A.} \\ 840 \div 35 \text{ years} \end{array} \qquad \begin{array}{r} 840 \\ 24 \end{array}$$

A yearly average of 24 Irish contributions would give a weekly personal pension of €225.80\* (notional amount).

\*These figures are based on State Pension rates as at January 2011.

### Step 2

We multiply the notional pension by the number of Irish contributions and divide the answer by the total number of contributions. This gives the pro-rata pension payment.

Personal amount

$$\frac{\text{€}225.80 \times 280}{840} \qquad \text{€}75.27$$

If you qualify to receive an Increase for a Qualified Adult (IQA) with your Irish pension, we multiply the notional amount, including the IQA, by the number of Irish contributions and divide the answer by the total number of contributions.

Personal amount plus Increase for a Qualified Adult under 66  

$$\frac{€379.30 \times 280}{840} \quad €126.43$$

These figures are based on State Pension rates as at January 2011.

### **Guardian's Payment (Contributory), Bereavement Grant**

Once entitlement to a Guardian's Payment (Contributory) or Bereavement Grant has been established either by virtue of Irish contributions alone or by a combination of Irish and U.S.A. contributions, the full appropriate rate is payable.

### **U.S.A. Payments**

If you have at least 6 quarters (78 weeks) of social security contributions in the U.S.A. but do not qualify for payment/pension under U.S.A. laws, then your Irish social insurance contributions can be used for payment/pension entitlement purposes.

If you then become entitled to benefit from the U.S.A., you will qualify for a Pro-Rata payment from the U.S.A. authorities based on:

- your average earnings under U.S.A. laws,
- and**
- the ratio of your U.S.A. social security contributions to the duration of a coverage lifetime in accordance with U.S.A. law.

## **7. How do I get my payment?**

### **If you live in Ireland**

If you qualify you may receive an Irish payment:

- at your local post office by Social Services Card
- or**
- by direct payment into your current, deposit or savings account in a financial institution.

If you qualify for Invalidity Pension and you get paid at a post office using Electronic Information Transfer (EIT), you may also avail of the Household Budget Service.

Bereavement Grant is a once-off payment made by cheque.

### **If you reside outside the State**

If you qualify for an Irish pension you may have your payment made by Electronic Fund Transfer to an Irish account or an account within a financial institution outside the State. Payment will be in the currency of the country in which you hold the account. This payment will be made every four weeks. One week will be paid in advance and three weeks will be paid in arrears.

## **8. Does the Agreement affect any payments I may get from another country?**

No!

If you are entitled to a payment under this Agreement, this will not affect your entitlement to a payment by another State under the provisions of the EC Regulations on Social Security.

This means that you could get a payment from another State under EC Regulations and a payment from Ireland under this Agreement at the same time.

This could arise if you had been employed in the United States, Ireland and another country covered by EC Regulations.

However, when working out a person's entitlement to a payment under this IRL/U.S.A. Agreement, work periods completed in the other country covered by EC Regulations will not be taken into account.

You cannot claim two Irish pensions. For example, if you qualify for one based on a combined contribution record under this Agreement with U.S.A. and another based on a combined record with another EU State under EC Regulations, you will receive whichever Irish pension is greater.

## 9. Can I qualify for a payment from both countries?

Yes!

It is possible for a person to qualify for payment from both countries (Ireland and the United States) at the same time.

## 10. Can I claim extra Benefits?

If you live in Ireland and receive either an Irish or the United States social welfare pension, you may qualify for free benefits under the Irish social security system subject to the usual conditions:

- Household Benefits Package (Electricity/Gas Allowance, Free Television Licence and Telephone allowance),
- Fuel Allowance,
- Free Travel.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## 11. Where can I get more information?

If you are residing in Ireland and wish to claim or enquire about an Irish entitlement under the Agreement you may contact your local Social Welfare Office or:

For **State Pension (Contributory), State Pension (Transition), Widow's, Widower's or Surviving Civil Partner's or Guardian's Payment (Contributory)** contact:

Department of Social Protection  
Social Welfare Services  
College Road  
Sligo

LoCall: 1890 500 000 (from the Republic of Ireland only), or  
+ 353 71 9157100 (from Northern Ireland or overseas)

For **Invalidity Pensions**, contact:

**Invalidity Pension Section**

Social Welfare Services  
Government Buildings  
Ballinalee Road  
Longford

LoCall: 1890 92 77 70 (from the Republic of Ireland only), or  
+ 353 43 3340000 (from Northern Ireland or overseas)

For **Bereavement Grant** contact the Social Welfare Services Office in Sligo if a pension has been in payment from there.

In all other cases, contact:

**Bereavement Grant Section**

Department of Social Protection  
Social Welfare Services  
Government Buildings  
Ballinalee Road  
Longford

LoCall: 1890 927 770 (from the Republic of Ireland only), or  
+ 353 43 3340000 (from Northern Ireland or overseas)

For more information on **Temporary Assignments** contact:

**PRSI Special Collections Section**

Department of Social Protection  
Government Offices  
Cork Road  
Waterford

LoCall: 1890 690 690 (from the Republic of Ireland only), or  
+ 353 1 4715898 (from Northern Ireland or overseas)

**Note**

**The rates charged for using 1890 (LoCall) numbers may vary among different service providers.**

If you are residing in the U.S. contact your local U.S. Social Security Office.

If you are residing in Ireland and wish to claim a U.S. payment covered by the Agreement you should contact:

U.S. Embassy Dublin  
Federal Benefits Unit  
42 Elgin Road  
Ballsbridge  
Dublin 4

Telephone: (01) 6688777

Email: **fbu.dublin@ssa.gov.**

For information booklets, application forms and more information on social welfare services:

- Log on to **www.welfare.ie.**
- LoCall Information Line at **1890 66 22 44** (from the Republic of Ireland only) or **+353 71 91 93313** (from Northern Ireland or overseas).
- Drop in to your local Social Welfare Office or Citizens Information Centre.

**Note**

**The rates charged for using 1890 (LoCall) numbers may vary among different service providers.**

**Other useful booklets:**

<b>Bereavement Grant</b>	<b>SW 47</b>
<b>Free Travel</b>	<b>SW 40</b>
<b>Guardian's Payment (Contributory) and Guardian's Payment (Non-Contributory)</b>	<b>SW 115</b>
<b>Household Benefits Package</b>	<b>SW 107</b>
<b>Invalidity Pension</b>	<b>SW 44</b>
<b>State Pension (Transition) and State Pension (Contributory)</b>	<b>SW 118</b>
<b>Widow's, Widower's or Surviving Civil Partner's Contributory Pension</b>	<b>SW 25</b>