

Agreement Between The United States And The Slovak Republic



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Contacting Social Security

Visit our website

Our website, www.socialsecurity.gov, is a valuable resource for information about all of Social Security's programs. At our website you also can:

- Apply for retirement, disability, and Medicare benefits;
- Review your *Social Security Statement*;
- Get the address of your local Social Security office;
- Request a replacement Medicare card; and
- Find copies of our publications.

Call our toll-free number

In addition to using our website, you can call us toll-free at **1-800-772-1213**. We treat all calls confidentially. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. Generally, you'll have a shorter wait time if you call during the week after Tuesday. We can provide information by automated phone service 24 hours a day. (You can use our automated response system to tell us a new address

or request a replacement Medicare card.) If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls. For more information

To file a claim for U.S. or Slovak benefits under the agreement, follow the instructions on page 8.

If you live outside the United States, write to:

Social Security Administration
OIO-Totalization
P.O. Box 17769
Baltimore, MD 21235-7769
USA

For more information about Slovak social security, write to:

Sociálna Poisťovňa
Ul. 29 Augusta c. 8 a10
813 63 Bratislava
Slovenská Republika
Internet: www.socpoist.sk

If you **do not wish to file a claim for benefits**, but would like more information about the agreement, write to:

Social Security Administration
Office of International Programs
P.O. Box 17741
Baltimore, MD 21235-7741
USA

For additional information, visit our website at www.socialsecurity.gov/international.

Introduction

An agreement effective May 1, 2014, between the United States and the Slovak Republic improves social security protection for people who work or have worked in both countries. It helps many people who, without the agreement, would not be eligible for monthly retirement, disability, or survivors benefits under the social security system of one or both countries. It also helps people who would otherwise have to pay social security taxes to both countries on the same earnings.

For the United States, the agreement covers Social Security taxes (including the U.S. Medicare portion) and Social Security retirement, disability, and survivors benefits. It does not cover benefits under the U.S. Medicare program or the Supplemental Security Income program.

For the Slovak Republic, the agreement covers old-age, retirement, survivors and disability benefits.

This booklet covers highlights of the agreement and explains how it may help you while you work and when you apply for benefits.

The agreement may help you, your family, and your employer:

- **While you work**—If both the U.S. and Slovak social security systems cover your work, you and your employer would have to pay social security taxes to both countries on the same earnings. However, the agreement eliminates double coverage so you pay taxes to only one country. The section titled “Eliminating dual coverage for employment” explains these rules. If you are self-employed, see page 2.
- **When you apply for benefits**—You may have some social security credits in both the United States and the Slovak Republic, but not enough to qualify for benefits in one country or the other. The agreement makes it easier to qualify for benefits by letting you combine your social security credits in

both countries. For more details, see the section on “Monthly benefits” beginning on page 5.

Coverage and social security taxes

Eliminating dual coverage for employment

Before the agreement, both the United States and the Slovak Republic, under certain circumstances, could require employers and employees to pay social security taxes to both countries on the same earnings.

Under the agreement, if you work as an employee in the United States, normally you and your employer will pay no social security taxes to the Slovak Republic. If you work as an employee in the Slovak Republic, you normally will pay only Slovak social security taxes and neither you nor your employer will have to pay U.S. Social Security taxes.

On the other hand, if your employer sends you from one country to work for that employer or an affiliate in the other country for five years or less, you will pay social security taxes only in the country from which your employer sent you, and you will not pay social security taxes in the other country. For example, if a U.S. company sends an employee to work for that employer or an affiliate in the Slovak Republic for no more than five years, the employee and employer will continue to pay only U.S. Social Security taxes and will not pay social security taxes in the Slovak Republic.

Eliminating dual coverage for self-employment

Under U.S. law, U.S. Social Security covers self-employed workers if they are U.S. citizens or U.S. resident aliens. The agreement says that a person who is self-employed in one country and temporarily transfers his or her self-employment activity to the other country will remain covered in the country from which he or she transferred the activity. As a result, if you are a self-employed U.S. citizen or resident and you transfer your self-employment activity to the Slovak Republic for five years or less, you do not have to pay Slovak social security taxes on your self-employment income.

Summary of agreement rules

The following tables show whether the U.S. or the Slovak Republic social security system covers your work as an employee. If U.S. Social Security covers your work, you and your employer must pay U.S. Social Security taxes. If the Slovak system covers your work, you and your employer must comply with the Slovak contribution requirements. The next section explains how to get a form from one country to prove you are exempt in the other country.

Your Work Status	Coverage and taxes
You are working in the Slovak Republic:	
<i>For a U.S. employer who:</i>	
• Sent you to work in the Slovak Republic for five years or less	United States
• Sent you to work in the Slovak Republic for more than five years	Slovak Republic
• Hired you in the Slovak Republic	Slovak Republic
<i>For a non U.S. private employer</i>	Slovak Republic
<i>For the U.S. Government and you are a:</i>	
• U.S. national	United States (either Social Security or federal retirement program)
• Slovak national	Slovak Republic
You are working in the United States:	
<i>For an employer in the Slovak Republic who:</i>	
• Sent you to work in the United States for five years or less	Slovak Republic
• Sent you to work in the United States for more than five years	United States
• Hired you in the United States	United States
<i>For a non-Slovak private employer</i>	United States
<i>For the Slovak Government and you are a:</i>	
• Slovak national	Slovak Republic
• U.S. national	United States
<i>You are self-employed and you:</i>	
• Work only in the United States	United States
• Normally work in the United States but transfer your business activity to the Slovak Republic for five years or less	United States
• Work only in the Slovak Republic	Slovak Republic
• Normally work in the Slovak Republic but transfer your business activity to the United States for five years or less	Slovak Republic
<i>If this table does not seem to describe your situation and you are:</i>	
Working in the United States	Write to the U.S. address on page 1 for further information.
Working in the Slovak Republic	Write to the Slovak address on page 1 for further information.

NOTE: As the table indicates, the agreement can assign U.S. coverage to a U.S. worker temporarily working in the Slovak Republic only if he or she works for a U.S. employer. A U.S. employer includes a corporation organized under the laws of the United States or any U.S. state. Also, it includes a:

- Partnership if at least two-thirds of the partners are U.S. residents;
- U.S. resident; or
- Trust if all the trustees are U.S. residents.

The term also includes a foreign affiliate of a U.S. employer when the U.S. employer has an agreement with the Internal Revenue Service (IRS) under section 3121(l) of the Internal Revenue Code to pay Social Security taxes for U.S. citizens and residents the affiliate employs.

Certificate of coverage for employment

A certificate of coverage issued by one country serves as proof of exemption from social security coverage and contributions on the same earnings in other country.

U.S. certificates

To establish an exemption from Slovak contributions, your employer must request a U.S. certificate of coverage (form USA/SK 1) from this address:

Social Security Administration
Office of International Programs
P.O. Box 17741
Baltimore, MD 21235-7741
USA

If you prefer, you can send the request by FAX to **410-966-1861**. Please note, use this FAX number only to request a U.S. certificate of coverage.

No special form is required to request a certificate but the request must be in writing and provide the following information:

- Full name of worker;
- Date and place of birth;
- Citizenship;
- Country of worker's permanent residence;
- U.S. Social Security number;
- Date of hire;
- Country of hire;
- Name and address of the employer in the United States and the Slovak Republic; and

- Date of transfer and anticipated date of return.

In addition, your employer must indicate if you will remain an employee of the U.S. company while working in the Slovak Republic or if you will become an employee of the U.S. company's affiliate in the Slovak Republic. If you become an affiliate's employee, your employer must indicate if the U.S. company has an agreement with the IRS under section 3121(l) of the Internal Revenue Code to pay U.S. Social Security taxes for U.S. citizens and residents the affiliate employs and, if yes, the effective date of the agreement.

When the Social Security Administration issues a certificate of U.S. coverage, it mails two copies (one for the employer and one for the employee) to the requesting employer. It is the employer's responsibility to present the certificate to the Slovak authorities when they ask for it.

Slovak certificates

To establish your exemption from U.S. Social Security taxes during temporary assignments in the United States, your employer in the Slovak Republic must request a certificate of coverage (form SK/USA1) from the Slovak Republic at the address below.

Sociálna Poistovňa
Ul. 29 Augusta c. 8 a10
813 63 Bratislava
Slovenská Republika

To get a Slovak certificate, include the same information listed on page 4 for a U.S. certificate of coverage, and you must provide your Slovak Birth Registration Number. The employer in the United States should retain a copy of the Slovak certificates of coverage, in case of an audit by the IRS. Do not send a copy to the IRS. The IRS will specifically request a copy if it needs one.

Certificate of coverage for self-employment

If you are self-employed and would normally have to pay social security taxes to both the United States and the Slovak Republic systems, under the agreement, you can establish your exemption from one of the taxes.

- If the U.S. system will cover your self-employment activity (see table on page 3), write to the Social Security Administration at the address on page 1 or FAX to **410-966-1861**.
- If the Slovak system will cover your self-employment activity (see table on page 3), write to the Social Insurance Agency at the address on page 1.

Be sure to include the following information in your letter.

- Full name of worker;
- Date and place of birth;
- Country of permanent residence;
- U.S. Social Security number;
- Slovak Birth Registration number;
- Nature of self-employment activity;
- Dates the activity was or will be performed; and
- Name and address of your trade or business in both countries.

You should attach a photocopy of the certificate to your U.S. income tax return each year as proof of the exemption.

Effective date of coverage exemption

The certificate of coverage you receive from one country will show the effective date of your exemption from paying social security taxes in the other country. Generally, this will be the beginning date of your temporary assignment in the other country or the beginning date of your self-employment activity there. To avoid any difficulties, your employer (or you if you are self-employed) should request a certificate of coverage as early as possible, preferably before your work in the other country begins.

If you or your employer requests a certificate of coverage, you should read the Privacy Act and Paperwork Reduction Act notices at the end of this booklet.

Monthly benefits

The following table shows the various social security benefits payable under the U.S. and Slovak social security systems and briefly describes the eligibility requirements that normally apply for each type of benefit. If you do not meet the requirements for these benefits, the agreement may help you qualify (see page 7).

This table is only a general guide. Get additional information about U.S. benefits by visiting Social Security's website at www.socialsecurity.gov. You also can visit any U.S. Social Security office or call our toll-free number at **1-800-772-1213**. If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

You can get more information about the Slovak system by writing to the Slovak Social Insurance Agency (SIA) or by visiting the SIA's website address on page 1.

Under U.S. Social Security, you may earn up to four credits each year depending on the amount of your covered earnings. The amount needed to earn a work credit goes up slightly each year. For more information call our toll-free number, **1-800-772-1213** or visit our website, www.socialsecurity.gov and get a copy of our publication *How You Earn Credits* (Publication No. 05-10072). The Slovak system measures credits in days. To simplify the information, the table shows requirements in years of credits.

Retirement or Old-Age Benefits

United States	Slovak Republic
Worker —Full benefit at full retirement age.* Reduced benefit as early as age 62. Required work credits range from 6 to 40 (40 credits if age 62 in 1991 or later).	Worker —Full benefit at age 62 with at least 15 years of coverage. Early retirement is possible if no more than 2 years from retirement age; have at least 15 years of contributions; cease all work activity; and early old-age pension amount must be at least 1.2 times the legally defined subsistence wage.

Disability Benefits

United States	Slovak Republic
Worker —Under full retirement age* can get benefit if unable to do any substantial gainful work for at least a year. 6 to 40 credits needed, depending on age at date of onset. Some recent work credits also needed unless worker is blind.	Worker —Full benefit if at least 70 percent reduction in capacity to work. Partial disability if 41-69 percent reduction in work capacity. Total periods of coverage needed based on age at disability onset. Persons with disability before age 20 need less than 1 year of coverage; persons aged 45 or older need at least 15 years of coverage.

Family Benefits to Dependents of Retired or Disabled Persons

United States	Slovak Republic
Spouse —Full benefit at full retirement age* or at any age if caring for the worker’s entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 62 if not caring for a child.	Spouse —No provision.
Divorced Spouse —Full benefit at full retirement age.* Reduced benefit as early as age 62. Must be unmarried and have been married to worker for at least 10 years.	Divorced Spouse —No provision.
Children —If unmarried, up to age 18 (age 19 if in an elementary or secondary school full time) or any age if disabled before age 22.	Children —Full disability if disability began during period when child is dependent (no Slovak coverage required).

*Full retirement age for people born 1943-1954 is age 66. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.

Survivor Benefits

United States	Slovak Republic
<p>Widow or Widower—Full benefit at full retirement age* or at any age if caring for the deceased’s entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 60 (or age 50 if disabled) if not caring for child. Benefits may continue if remarriage occurs after age 60 (or age 50 if disabled).</p> <p>Divorced Widow or Widower—Same as widow or widower if marriage lasted at least 10 years.</p> <p>Children—Same as for children of retired or disabled worker.</p>	<p>Widow or Widower—At time of death: worker must have been receiving an old-age pension, early old-age pension, or disability pension; or must have met the requirements for an old-age pension or the coverage requirements for a disability pension; or must have died due to work accident or occupational disease. Widow or widower benefits cease after one year unless certain age, disability or child rearing exceptions apply. Pension ceases if widow or widower remarries.</p> <p>Divorced Widow or Widower—No provision.</p> <p>Children—Eligible under age 26 and if dependent on the worker at the time of death.</p> <p>Orphan Children—At time of parent’s death: Parent must have been receiving an old-age or disability pension; or been entitled to an early old-age pension; or met the requirements for an old-age pension; or met the coverage requirements for a disability pension; or died due to a work accident or occupational disease. Benefits cease when child completes compulsory school attendance or up to age 26 under certain conditions.</p>
Lump-Sum Death Benefit —A one-time payment not to exceed \$255 payable on the death of an insured worker.	Lump-Sum Death Benefit —No provision.

*Full retirement age for people born 1943-1954 is age 66. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.

How each country pays benefits

If you have social security credits in both the United States and the Slovak Republic, you may be eligible for benefits from one or both countries. If you meet all the basic requirements under one country's system, you will get a regular benefit from that country. If you do not meet the basic requirements, here is how the agreement may help you qualify for a benefit:

- **Benefits from the United States**—If you do not have enough U.S. work credits to qualify for regular benefits, you may be able to qualify for a partial benefit from the United States with both U.S. and Slovak credits. However, for us to count your Slovak credits, you must have at least six credits (generally one-and-one half years of work) under the U.S. system. If you already have enough credits under the U.S. system to qualify for a benefit, the United States cannot count your Slovak credits.
- **Benefits from the Slovak Republic**—If you do not have enough work credits under the Slovak system to qualify for benefits, the Slovak Republic can count your credits under the U.S. Social Security system to help you qualify for Slovak benefits. However, for the Slovak Republic to count your U.S. credits, you must have at least 12 months of coverage under the Slovak system unless an exception applies.

How each country counts credits

You do not have to do anything for one country to count your credits in the other country. If we need to count your credits under the Slovak system to help you qualify for a U.S. benefit, we will get a copy of your Slovak record directly from the Slovak Republic when you apply for the U.S. benefit. If Slovak officials need to count your U.S. credits to help you qualify for a Slovak benefit, they will get a copy of your U.S. record directly from the U.S. Social Security Administration when you apply for the Slovak benefit.

Although each country may count your credits in the other country, your credits do not actually transfer from one country to the other. They remain on your record in the country where you earned them. You can also use those credits to qualify for benefits there.

Computation of U.S. benefit under the agreement

When a U.S. benefit becomes payable as a result of counting both U.S. and Slovak social security credits, the U.S. Social Security Administration determines an initial benefit based on your U.S. earnings as if you

completed your entire career under the U.S. system. Then we reduce the initial benefit to reflect that Slovak credits helped make the benefit payable. The amount of the reduction will depend on the number of U.S. credits you have. The more U.S. credits, the smaller the reduction; the fewer U.S. credits, the larger the reduction.

A Slovak pension may affect your U.S. benefit

If you qualify for social security benefits from both the United States and the Slovak Republic and you did not need the agreement to qualify for either benefit, U.S. law may reduce the amount of your U.S. benefit, if you also receive a pension from work not covered by U.S. Social Security. For more information, call our toll-free number, **1-800-772-1213** or visit our website, www.socialsecurity.gov, and get a copy of our publication *Windfall Elimination Provision* (Publication No. 05-10045). If you are outside the United States, write to us at the address on page 1.

What you need to know about Medicare

Medicare is the U.S. national health insurance program for people who are age 65 or older or who are disabled. Medicare has four parts:

- Part A: Hospital insurance, which helps pay for inpatient hospital care and certain follow-up services.
- Part B: Medical insurance, which helps pay for doctors' services.
- Part C: Medicare Advantage plans are available in many areas. People with Medicare Parts A and B can receive all of their health care services through a provider organization under Part C.
- Part D: Prescription drug coverage, which helps pay for medications doctors prescribe for medical treatment.

You are eligible for free hospital insurance at age 65 if you have worked long enough under the U.S. Social Security system to qualify for retirement benefits. People born in 1929 or later need 40 credits (about 10 years of covered work) to qualify for retirement benefits.

Although the agreement between the United States and the Slovak Republic allows the Social Security Administration to count your Slovak credits to help you qualify for U.S. retirement, disability or survivors benefits, the agreement does not cover Medicare

benefits. As a result, we cannot count your credits in the Slovak Republic to establish entitlement to free Medicare hospital insurance.

For more information about Medicare, call our toll-free number, **1-800-772-1213**, or visit Medicare's website at www.medicare.gov. You can also visit our website at www.socialsecurity.gov and get our publication *Medicare* (Publication No. 05-10043).

Claim for benefits

If you live in the United States and want to apply for U.S. or Slovak benefits:

- Visit or write any U.S. Social Security office; or
- Phone our toll-free number, **1-800-772-1213**, 7 a.m. to 7 p.m. any business day. People who are deaf or hard of hearing may call our toll-free TTY number, **1-800-325-0778**.

You can apply for Slovak benefits at any U.S. Social Security office by completing the U.S. application form SSA-2490-BK (*Application for Benefits Under a U.S. International Social Security Agreement*) and the Slovak application form SK/USA-2 (*Claim for Pension Benefits from the Pension Insurance System of the Slovak Republic*).

If you live in the Slovak Republic and wish to apply for benefits, contact:

- The U.S. Embassy in Warsaw Poland (phone **+48-22-504-2112**) to ask about U.S. benefits; or
- The Social Insurance Agency (phone **+421-906-171-934**) to ask about Slovak benefits.

You can apply in one country and ask that country to consider your application also a claim for benefits from the other country. They will send information from your application to the other country. Each country will process your claim under its own laws, count credits from the other country as the agreement requires, and notify you of its decision.

If you have not applied for benefits before, you may need to provide certain information and documents when you apply. This may include:

- The worker's U.S. Social Security number;
- The Slovak Birth Registration number;
- Proof of age for all claimants;
- Evidence of the worker's U.S. earnings in the past 24 months; and
- Information about the worker's coverage under the Slovak system.

You may wish to call the social security office before you go there to see if you need to provide any other information.

Payment of benefits

Each country pays its own benefit. The U.S. Department of Treasury makes U.S. payments each month that cover benefits for the preceding month. Under the Slovak system, the Social Insurance Agency makes payments each month that cover benefits for the current month.

Absence from U.S. territory

Generally, people who are not U.S. citizens may receive U.S. Social Security benefits while outside the United States only if they meet certain requirements. However, under the agreement you can receive benefits as long as you live in the Slovak Republic, regardless of your nationality. If you are not a U.S. or Slovak citizen and live in a country other than the United States or the Slovak Republic, you may not be able to receive benefits. The publication *Your Payments While You Are Outside the United States* (Publication No. 05-10137) explains the restrictions on U.S. benefits.

Appeals

If you disagree with the decision on your claim for benefits under the agreement, contact any U.S. or Slovak social security office. They can tell you what you need to do to appeal the decision.

The Slovak social security authorities will review your appeal if it affects your rights under the Slovak system. U.S. Social Security authorities will review your appeal if it affects your rights under the U.S. system. Since each country makes its own decisions independently of the other, a decision by one country on a particular issue may not always conform to the decision made by the other country on the same issue.

Authority to collect information for a certificate of coverage (see page 4)

Privacy Act Notice

Section 233 of the Social Security Act as amended, [42 U.S.C. 433], authorizes us to collect this information. We will use the information you provide to determine if the U.S. Social System in accordance with a Social Security agreement covers your current work. The information you provide on this form is voluntary. However, failure to provide all or part of the requested information may prevent us from making

an accurate and timely decision on your request for a certificate of coverage. Without the certificate, both the U.S. and the foreign social security systems may continue to cover and tax your earnings.

We rarely use the information you provide on this form for any purpose other than for the reasons explained above. However, we may use it for the administration and integrity of Social Security programs. We may also disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

1. To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits or coverage;
2. To comply with Federal laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office, General Service Administration, National Archives Records Administration, and the Department of Veterans Affairs);
3. To make determinations for eligibility in similar health and income maintenance programs at the Federal, State, and local level; and
4. To facilitate statistical research, audit, or investigate activities necessary to assure the integrity of Social Security programs.

We may also use the information you provide in computer matching programs. Matching programs compare our records with records kept by other federal, state, or local government agencies. We can use information from these matching programs to establish or verify a person's eligibility for federally-funded or administered benefit programs and for overpayments or delinquent debts under these programs.

A complete list of routine uses for this information is available in our System of Records Notice entitled *Earnings Records and Self-Employment Income System*, 60-0059. This notice, additional information regarding this form and information regarding our programs and systems are available online at www.socialsecurity.gov or at any Social Security office.

Paperwork Reduction Act Notice

This information collection meets the clearance requirements of 44 U.S.C. Section 3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take you about 30 minutes to read the instructions, gather the necessary facts, and write down the information to request a certificate of coverage.



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