



Agreement Between The United States And Austria

Contents

Introduction	1
Coverage and Social Security taxes	2
Certificate of coverage	3
Monthly benefits	5
An Austrian pension may affect your U.S. benefit	8
What you need to know about Medicare	8
Claims for benefits	8
Authority to collect information for a certificate of coverage (see pages 3-5)	9
Contacting Social Security	10

Introduction

An agreement effective November 1, 1991, between the United States and Austria 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.

The agreement covers Social Security taxes (including the U.S. Medicare portion) and Social Security retirement, disability and survivors

insurance benefits. It does not cover benefits under the U.S. Medicare program or the Supplemental Security Income program.

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 your work is covered by both the U.S. and Austrian Social Security systems, you (and your employer, if you are employed) would normally have to pay Social Security taxes to both countries for the same work. However, the agreement eliminates this double coverage so you pay taxes to only one system (see pages 2-3).

- **When you apply for benefits**—You may have some Social Security credits in both the U.S. and Austria but not have enough to be eligible for benefits in one country or the other. The agreement makes it easier to qualify for benefits by letting you add together 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

Before the agreement, employees, employers and self-employed people could, under certain circumstances, be required to pay Social Security taxes to both the United States and Austria for the same work.

Under the agreement, if you work as an employee in the United States, you normally will be covered by the United States, and you and your employer will pay Social Security taxes only to the United States. If you work as an employee in Austria, you normally will be covered by Austria, and you and your employer pay Social Security taxes only to Austria.

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 continue to be covered by your home country and you will be exempt from coverage in the other country. For example, if a U.S. company sends an employee to work for that

employer or an affiliate in Austria for no more than five years, the employer and the employee will continue to pay only U.S. Social Security taxes and will not have to pay in Austria.

If you are self-employed and reside in the United States or Austria, you generally will be covered and taxed only by the country where you reside.

NOTE: *In addition to retirement, disability and survivors benefits, Austrian Social Security taxes cover sickness and accident insurance. As a result, workers and employers exempted from Austrian Social Security coverage by the agreement pay no Social Security taxes for either of these programs and generally cannot receive benefits from them. If the agreement exempts you from Austrian coverage, you and your employer may wish to arrange for alternative health insurance protection.*

Summary of agreement rules

The following table shows whether your work is covered under the U.S. or Austrian Social Security system. If you are covered under U.S. Social Security, you and your employer (if you are an employee) must pay U.S. Social Security taxes. If you are covered under the Austrian system, you and your employer (if you are an employee) must pay Austrian Social Security taxes. The next section (beginning on page 3) explains how to get a form from the country where you are covered that will prove you are exempt in the other country.

Your work status	Coverage and taxes
You are working in Austria:	
<i>For a U.S. employer who:</i>	
• Sent you to work in Austria for five years or less	U.S.
• Sent you to work in Austria for more than five years	Austria
• Hired you in Austria	Austria
<i>For a non-U.S. employer</i>	Austria
<i>For the U.S. government and you are:</i>	
• A U.S. national	U.S. (either Social Security or federal retirement program)
• An Austrian national	Austria

Your work status	Coverage and taxes
<i>You are working in the U.S.:</i>	
<i>For an employer in Austria who:</i>	
• Sent you to work in the U.S. for five years or less	Austria
• Sent you to work in the U.S. for more than five years	U.S.
• Hired you in the U.S.	U.S.
<i>For a non-Austrian employer</i>	U.S.
<i>For the Austrian government and you are:</i>	
• An Austrian national	Austria
• A U.S. national	U.S.
<i>You are self-employed and you:</i>	
• Reside in the U.S.	U.S.
• Reside in Austria	Austria
<i>If this table does not seem to describe your situation and you are:</i>	
• Working in the U.S.	Write to the U.S. address shown in the section titled "For more information."
• Working in Austria	Write to the Austrian address shown in the section titled "For more information."

NOTE: As the table indicates, a U.S. worker employed in Austria can be covered by U.S. Social Security 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 state, a partnership if at least two thirds of the partners are U.S. residents, a person who is a resident of the U.S. or a trust if all the trustees are U.S. residents. The term also includes a foreign affiliate of a U.S. employer if the U.S. employer has entered into 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 employed by the affiliate.

Certificate of coverage

A certificate of coverage issued by one country serves as proof of exemption from Social Security taxes on the same earnings in the other country.

Certificates for employees

To establish an exemption from compulsory coverage and taxes under the Austrian system, your employer must request a certificate of coverage (form USA/A 1) from the U.S. at this address:

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

If preferred, the request may be sent by FAX to **(410) 966-1861**. Please note this FAX number should only be used to request certificates 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 U.S. and Austria; and
- Date of transfer and anticipated date of return.

In addition, your employer must indicate if you remain an employee of the U.S. company while working in Austria or if you become an employee of the U.S. company's affiliate in Austria. If you become an employee of an affiliate, 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 employed by the affiliate and, if yes, the effective date of the agreement.

Your employer can also request a certificate of U.S. coverage for you over the Internet using a special online request form available at www.socialsecurity.gov/coc. Only an employer can use the online form to request a certificate of coverage. A self-employed person must submit a request by mail or fax.

To establish your exemption from coverage under the U.S. Social Security system, your employer in Austria must request a certificate of coverage (form A/USA 1) from the Austrian agency that collects your Social Security taxes in Austria.

The same information required for a certificate of coverage from the United States is needed to get a certificate from Austria except that you must show your Austrian Social Security number rather than your U.S. Social Security number.

Certificates for self-employed people

If you are self-employed and would normally have to pay Social Security taxes to both the U.S. and Austrian systems, you can establish your exemption from one of the taxes.

- If you reside in the United States, write to the Social Security Administration at the address on page 10; or
- If you reside in Austria, write to the Austrian agency that collects your Social Security taxes in Austria.

Be sure to provide the following information in your letter:

- Full name;
- Date and place of birth;
- Citizenship;
- Country of permanent residence;
- U.S. and/or Austrian Social Security 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.

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 date you began working in the other country.

Certificates of coverage issued by Austria should be retained by the employer in the United States in case of an audit by the IRS. No copies should be sent to IRS unless specifically requested by IRS. However, a self-employed person must attach a **photocopy** of the certificate to his or her income tax return each year as proof of the U.S. exemption.

Copies of certificates of coverage issued by the United States will be provided for both the employee and the employer. It will be their responsibility to present the certificate to the Austrian authorities when requested to do so. To avoid any difficulties, your employer (or you, if you are self-employed) should request a certificate as early as possible, preferably before your work in the other country begins.

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

Monthly benefits

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

This table is only a general guide. You can get more specific information about U.S. benefits at any U.S. Social Security office or by

calling our toll-free number at **1-800-772-1213** or by visiting Social Security’s website at **www.socialsecurity.gov**. You can get more detailed information about the Austrian system by writing to the Austrian address on the inside cover or by visiting the website of the Main Association of Austrian Social Insurance Agencies (Hauptverband der österreichischen Sozialversicherungsträger) at **www.sozvers.at**.

Under U.S. Social Security, you may earn up to four credits each year depending on the amount of your covered earnings. For example, in 2017, you get one credit for each \$1,300 of your covered annual earnings up to a maximum of four credits for the year. Under the Austrian system, credits are measured in months. To simplify the information in the table, requirements are shown in years of credits.

Retirement or old-age benefits	
<i>United States</i>	<i>Austria</i>
<p>Worker—Full benefit at full retirement age.* Reduced benefit as early as age 62. Required work credits range from one and one-half to 10 years (10 years if age 62 in 1991 or later).</p>	<p>Worker—Benefits payable at age 65 for men or age 60 to women with at least:</p> <ul style="list-style-type: none"> • 15 years of contributions; or • 25 years of contributions plus certain noncontributory periods such as unemployment, schooling or illness; or • 15 years of contributory and noncontributory periods within the last 30 years. <p>Benefits may be paid to men as early as age 61 and 6 months or to women at age 56 and 6 months with completion of specified minimum coverage requirements. (The minimum age for early retirement is age 60 for men born before October 1945 and 55 for women born before 1950 if other coverage requirements are met.) Full retirement is necessary.</p>

**Full retirement age for people born in 1938 is age 65 and 2 months. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.*

Disability benefits	
United States	Austria
<p>Worker—Under full retirement age* can get benefit if unable to do any substantial gainful work for at least a year. One and one-half to 10 years credit needed, depending on age at date of onset. Some recent work credits also needed unless worker is blind.</p>	<p>Worker—Worker must have a loss of more than 50 percent of earnings as a result of disability that is expected to last 6 months, and not be entitled to a retirement benefit. In addition, the worker must have:</p> <ul style="list-style-type: none"> • 15 years of contributions; or • 5 years of contributions or noncontributory coverage in the last 10 years if disabled before age 50. If disabled after age 50, the minimum coverage requirement and the period during which it must be earned increase gradually to 15 years in the last 30 years; or • At least 6 months of coverage if the disability resulted from a work accident or occupational disease that began before age 27.

**Full retirement age for people born in 1938 is age 65 and 2 months. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.*

Family benefits to dependents of retired or disabled people	
United States	Austria
<p>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.</p>	<p>Spouse—No provision.</p>
<p>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.</p>	<p>Divorced spouse—No provision.</p>
<p>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.</p>	<p>Children—No provision. However, retired or disabled worker may receive a supplement if he or she has children under age 18 (age 27 if in school) or any age if disabled.</p>

**Full retirement age for people born in 1938 is age 65 and 2 months. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.*

Survivors benefits	
United States	Austria
Widow(er) —Full benefit at full retirement age* or at any age if caring for 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 a child. Benefits may be continued if remarriage occurs after age 60 (or age 50 if disabled).	Widow(er) —Benefits are generally payable at any age if not remarried and the deceased worker was eligible for a retirement or disability benefit, or met specified coverage requirements. If the marriage lasted less than 10 years, benefits may be limited to 30 months if a widow is under age 35 at the time of the worker's death or the deceased was over age 65 (men) or age 60 (women) at the time of marriage. Remarriage terminates benefits but a one-time payment equal to 35 monthly payments is made if widow's benefit was not subject to 30-month time limit.
Divorced widow(er) —Same as widow(er) if marriage lasted at least 10 years.	Divorced widow(er) —Same as widow(er) if the divorced spouse was entitled to maintenance from the worker.
Children —Same as for children of retired or disabled worker.	Children —Up to age 18 (age 27 if in school) or any age if disabled.
Lump-sum death benefit —A one-time payment not to exceed \$255 payable on the death of an insured worker.	Lump-sum death benefit —A one-time payment may be paid to family members if there are no survivors entitled to benefits.

**Full retirement age for people born in 1938 is age 65 and 2 months. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.*

How benefits can be paid

If you have Social Security credits in both the United States and Austria, 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, the agreement may help you qualify for a benefit as explained below.

- **Benefits from the U.S.**—If you do not have enough work credits under the U.S. system to qualify for regular benefits, you may be able to qualify for a partial benefit from the United States based on both U.S. and Austrian credits. However, to be eligible to have your Austrian credits counted, you must have earned 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 Austrian credits.
- **Benefits from Austria**—Social Security credits from both countries can also be

counted, when necessary, to meet the eligibility requirements for Austrian benefits. To be eligible to have your U.S. and Austrian credits counted, you must have at least 12 months of coverage credited under the Austrian system.

How credits get counted

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

Although each country may count your credits in the other country, your credits are not actually transferred from one country to the other. They remain on your record in the country where you earned them and can also be used 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 Austrian Social Security credits, an initial benefit is determined based on your U.S. earnings as if your entire career had been completed under the U.S. system. This initial benefit is then reduced to reflect the fact that Austrian credits helped to make the benefit payable. The amount of the reduction will depend on the number of U.S. credits: the more U.S. credits, the smaller the reduction; and the fewer U.S. credits, the larger the reduction.

An Austrian pension may affect your U.S. benefit

If you qualify for Social Security benefits from both the United States and Austria and you did not need the agreement to qualify for either benefit, the amount of your benefit may be reduced. This is a result of a provision in U.S. law which can affect the way your benefit is figured if you also receive a pension based on work that was 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, you may write to us at the address on page 10.

What you need to know about Medicare

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

- Hospital insurance (Part A) helps pay for inpatient hospital care and certain follow-up services.
- Medical insurance (Part B) helps pay for doctors' services, outpatient hospital care and other medical services.
- Medicare Advantage plans (Part C) are available in many areas. People with Medicare Parts A and B can choose to

receive all of their health care services through a provider organization under Part C.

- Prescription drug coverage (Part D) 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 U.S. Social Security to qualify for a retirement benefit. 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 Austria allows the Social Security Administration to count your Austrian 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 Austria to establish entitlement to free Medicare hospital insurance.

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

Claims for benefits

If you live in the United States and wish to apply for U.S. or Austrian 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 Austrian benefits at any U.S. Social Security office by completing an application form SSA-2490.

If you live in Austria and wish to apply for U.S. or Austrian benefits, contact:

- The Federal Benefits Unit at the U.S. Consulate General in Frankfurt, Germany (phone **49-69-90555-1100**) to file for U.S. benefits; or
- Any Austrian Social Security office to file for Austrian benefits.

You can apply with one country and ask to have your application considered as a claim for benefits from the other country. Information from your application will then be sent to the other country. Each country will process the claim under its own laws—counting credits from the other country when appropriate—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. These include the worker's U.S. and Austrian Social Security numbers, 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 Austrian system. You may wish to call the Social Security office before you go there to see if any other information is needed.

Payment of benefits

Each country pays its own benefit. U.S. payments are made by the Department of Treasury each month and cover benefits for the preceding month. Payments under the Austrian system are generally made every three months and cover the prior two months plus the current month.

Absence from U.S. territory

Normally, people who are not U.S. citizens may receive U.S. Social Security benefits while outside the U.S. only if they meet certain requirements. Under the agreement, however, if you are a U.S. or Austrian citizen, a refugee, a stateless person, or a person who is eligible for dependents or survivors benefits based on the Social Security record of one of these people, you may receive benefits as long as you reside in Austria. If you are not a U.S. or Austrian citizen and live in another country, you may not be able to receive benefits. The restrictions on U.S. benefits are explained in the publication, *Your Payments While You Are Outside The United States* (Publication No. 05-10137).

Appeals

If you disagree with the decision made on your claim for benefits under the agreement, contact any U.S. or Austrian Social Security office. The people there can tell you what you need to do to appeal the decision.

The Austrian Social Security authorities will review your appeal if it affects your rights under the Austrian system, while U.S. Social Security authorities will review your appeal if it affects your rights under the U.S. system. Since each country's decisions are made independently of the other, a decision by one country on a particular issue may not always conform with the decision made by the other country on the same issue.

Authority to collect information for a certificate of coverage (see pages 3-5)

Privacy Act

The *Privacy Act* requires us to notify you that we are authorized to collect this information by section 233 of the *Social Security Act*. While it is not mandatory for you to furnish the information to the Social Security Administration, a certificate of coverage cannot be issued unless a request has been received. The information is needed to enable Social Security to determine if work should be covered only under the U.S. Social Security system in accordance with an international agreement. Without the certificate, work may be subject to taxation under both the U.S. and the foreign Social Security systems.

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 are not required 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.

Contacting Social Security

Visit our website

The most convenient way to conduct Social Security business from anywhere at any time, is to visit www.socialsecurity.gov. There, you can:

- Apply for retirement, disability, and Medicare benefits;
- Find copies of our publications;
- Get answers to frequently asked questions; and
- So much more!

Call us

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. If you're in the United States, call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

If you need to speak to a person, we can answer your calls from 7 a.m. to 7 p.m., Monday through Friday. We ask for your patience during busy periods since you may experience a higher than usual rate of busy signals and longer hold times to speak to us. We look forward to serving you.

For more information

To **file a claim** for U.S. or Austrian benefits under the agreement, follow the instructions below.

To find out more about U.S. Social Security benefits or for information about a claim for benefits, contact any U.S. Social Security office or call our toll-free number at **1-800-772-1213**. **If you live outside the United States, write to:**

Social Security Administration
OIO—Totalization
P.O. Box 17049
Baltimore, MD 21235-7049
USA

For more information about Austria's Social Security programs, visit any Social Security office in Austria. If you do not live in Austria, write to:

Hauptverband der Österr.
Sozialversicherungsträger
Kundmangasse 21
1030 Vienna
AUSTRIA

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:
www.socialsecurity.gov/international.



Securing today
and tomorrow