

**Milk Drivers and Dairy Employees Local Union No. 246
of Washington, D.C.
Pension Fund**

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WORKING AFTER RETIREMENT – SUMMARY OF PLAN RULES

MILK DRIVERS AND DAIRY EMPLOYEES LOCAL UNION NO. 246 OF WASHINGTON, D.C. PENSION FUND

1. May I continue working after I retire on a Pension?

In general, you are expected to retire from work to receive a pension. Working after your pension starts may cause your pension to be suspended as explained below.

2. What type of work will cause suspension of my benefits?

In accordance with Section 16.09 of the Plan, and Department of Labor Regulation 29 C.F.R. Section 2530.203-3, your benefits will be suspended for any month in which you return to work after retiring, and work more than 40 hours in employment which is:

- a. in the District of Columbia, Virginia, Maryland, or anywhere else within the geographical jurisdiction of the Plan;
- b. in any industry of the type covered by the Plan; and
- c. in the same trade or craft as our previous covered employment.

The work described above is called “Suspension Service,” and includes, but is not limited to, any work of the type for which contributions were made to the Plan at the time you retired. Suspension Service also includes work as a Supervisor, or any other position, in the same industry and the same trade or craft as your previous covered employment. If you are not sure whether certain employment would be considered Suspension Service by the Fund, you should request the Trustees to review the employment you are considering and to advise you whether that employment would result in a suspension of your pension benefits. Such requests must be in writing.

3. What happens if I take a job in “Suspension Service” while I am receiving a pension?

If you take a job in Suspension Service as described above, you will automatically lose your pension benefits for the months you work for more than 40 hours. You are required to notify the Fund Office in writing when you start such a job.

4. If I fail to report a return to work, what will happen?

The Trustees know that most members are honest and follow the rules. Retirees will be asked to sign a statement periodically that they are not working in prohibited employment. Of course, if a retiree returns to work covered by the Plan, the Fund Office will receive reports from your employer. If the Trustees receive information provided from any source that you are working in employment meeting the description in Paragraph 2, above, they may automatically suspend your pension benefits based on the presumption that you are working full time. Any problems will be corrected as soon as the employee provides satisfactory information about the actual employment.

5. If my pension is suspended for months after I have received payment for those months, what happens?
The amount you owe the Fund will be deducted from your pension when it starts again. No more than 25% of your pension check can be deducted. The deductions will also continue against your spouse's benefit after your death. The Trustees can also bring a lawsuit against you to collect amounts which you owe to the Fund.

6. Can I appeal if my benefits are suspended?

Yes. You may appeal the suspension of your pension benefits in the same way that you appeal any other matter involving the Plan. A written request for review must be filed within 180 days of the Suspension of Pension Notice.

7. How do I notify the plan when I have stopped working in prohibited employment and want to retire again?

You must notify the Fund Office in writing, on a form provided by the Fund or by letter, of the date you last worked in prohibited employment. Your pension will resume for the month after you cease working in Suspension Service but there may be a delay of up to three (3) months before the first check arrives.

8. Will I earn additional pension credit if I return to work in the industry(ies) covered by the Fund?

Yes, provided you work for a Participating Employer for at least one year. Your additional benefit will be your additional years of Accredited Service multiplied by the Monthly Benefit Accrual Rate in effect during the years between the date you returned to work for a Participating Employer and the date you stopped working in covered employment. Your retirement benefit will be the sum of the pension you were receiving prior to reemployment plus your additional benefit. The number of years used to determine your benefit may depend on whether any part of your reemployment occurred on or after January 1, 1998. If all of your reemployment occurred on or before December 31, 1997, no more than 30 years of Accredited Service (including your prior Accredited Service plus your additional Accredited Service earned after your return to work) may be counted in determining your retirement benefit. If any of your reemployment occurred on or after January 1, 1998, up to 35 years of Accredited Service (including your prior Accredited Service plus your additional Accredited Service earned after your return to work) may be counted in determining your retirement benefit, provided you worked at least one full year in reemployment.