

PLUMBERS AND STEAMFITTERS LOCAL 486 PENSION FUND

**NOTICE OF PROCEDURES FOR DETERMINING
QUALIFIED STATUS OF A DOMESTIC RELATIONS ORDER**

I. PROCEDURE UPON RECEIPT

A. Receipt

1. Upon receipt of any judgment, decree or order (including approval of a property settlement agreement) that requires the Plan to pay benefits to an Alternate Payee pursuant to a state domestic relations law, the Plan Administrator shall notify the affected Participant and Alternate Payee of the receipt of such Order and the procedures for determining whether the Order is a Qualified Domestic Relations Order.

2. The Plan may accept for review a proposed Order, and, generally, all references hereinafter include proposed Orders. However, the Plan is not subject to statutory requirements relating to executed domestic relations orders when reviewing a proposed Order.

3. If the Plan shall receive Orders from more than one Alternate Payee with respect to a Participant, the Plan Administrator shall notify each Alternate Payee and the Participant of the receipt of multiple Orders.

4. If the Plan becomes aware that a Participant is in the process of obtaining a divorce, but neither an Order nor a proposed Order has been received, the Plan Administrator may defer an application for benefits for up to ninety (90) days in order to ascertain whether an Order or proposed Order will be forthcoming.

B. Payment Upon Attainment of Earliest Retirement Age

1. The Plan will pay benefits pursuant to the requirements of an Order no earlier than the Participant's earliest retirement age. The Plan will give effect to an Order that requires benefits to be paid to an Alternate Payee subsequent to the Participant's earliest retirement age even though benefits are not payable to the Participant because the Participant has not retired or separated from service.

2. The earliest retirement age is the earlier of (1) the date on which the Participant is entitled to a distribution under the Plan, or (2) the later of (a) the date the Participant attains age 50, or (b) the earliest date the Participant could begin receiving benefits under the Plan if the Participant separated from service.

3. Benefit payments will be computed as if the Participant had retired on the date on which payments are to begin (based on the present value of benefits actually accrued, without taking into account any plan subsidy for early retirement).

C. Death Prior to Retirement

If a Participant dies before distribution of his/her benefit commences, the Alternate Payee will be paid benefits only if the Order requires survivor benefits to be paid.

D. Separate Accounting

1. In accordance with ERISA, the Plan shall determine the qualified status of an Order within a "reasonable period." During any period in which the qualified status of an Order is in dispute (by the Plan, a court, or otherwise) or undetermined, the Plan will separately account for the amounts (the "segregated amounts") that would have been payable to the Alternate Payee(s) during such period had the Order been determined to be qualified.

2. If, within the 18-month period beginning with the date on which the first payment would be required to be made under the Order, the Order is determined to be a Qualified Domestic Relations Order, the Plan shall pay the segregated amounts (including any interest thereon) to the appropriate Alternate Payee designated in the Order. If such a determination is not made within the 18-month period after the segregation of benefits, or if the Plan determines that the Order is not qualified, it will pay the segregated amounts (including any interest thereon) to the person or persons entitled to receive them.

3. Any determination that an Order is qualified which is made after the expiration of the 18-month period will apply prospectively (i.e., the Plan shall not be liable for payments too Alternate Payee(s) for the period before the Order is determined to be qualified). The Plan shall be discharged from any obligation or liability to any Participant and Alternate Payee(s) to the extent of any payment made pursuant to these procedures.

E. Notification of Determination

1. The Plan Administrator shall notify the Participant and Alternate Payee(s) in writing whether an Order is qualified and the date on which payments are scheduled to commence. The Plan may request the Participant and Alternate Payee(s) to furnish an acknowledgment of their receipt of the notice of payment of benefits, a general release, a correct mailing address and any other document as the Plan Administrator, in its sole discretion, deems necessary. The Plan may also require the Participant and Alternate Payee(s) to provide such information as would normally be required of the Participant prior to the payment of benefits under the Plan.

2. The Plan Administrator will notify the Participant and Alternate Payee(s) in writing whether an Order is NOT qualified, setting forth the specified reason for so concluding. The Participant and Alternate Payee(s) shall have the right to appeal such determination, by

written request filed with the Plan, in accordance with the Plan's existing claims procedure (which is contained in the Plan's "summary plan description").

F. Election of Optional Form of Benefit

1. If the Order so permits and if the Participant has not commenced receiving his/her retirement benefit, the Alternate Payee may select any form of benefit otherwise available to the Participant, except a joint and survivor annuity for the benefit of the Alternate Payee and the Alternate Payee's subsequent spouse.

2. If the Participant has commenced receiving his retirement benefit, the Alternate Payee may not elect a different form of benefit. The Alternate Payee may only receive a designated portion of the Participant's current benefit.

G. Designated Representative

An Alternate Payee may designate a representative to receive all notices relating to the Order.

II. SUBSTANTIVE APPROVAL OF QUALIFIED STATUS

A. Alternate Payee

An Alternate Payee means any spouse, former spouse, child, or other dependent of a Participant who is recognized by a domestic relations order as having a right to receive all, or a portion of, the benefits payable under the Plan with respect to such Participant. To the extent provided in any Order, the former spouse of a Plan Participant is treated as a surviving spouse of the Participant for purposes of the provisions requiring joint and survivor annuities and pre-retirement survivor annuities if the former spouse and Participant were married for at least one year as of the date of divorce.

B. Qualification Requirements

The Plan shall honor an Order described in Section I. A. 1. as a qualified domestic relations order if the Order meets the following requirements:

1. The Order must relate to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child, or other dependent of a Participant, and must be made pursuant to a state domestic relations law.

2. The Order must clearly specify the following:

a. The name and last known address (if any) of the Participant and the name and mailing address of each Alternate Payee covered by the Order.

b. Each Plan to which such Order applies.

c. The number of payments or period to which such Order applies.

d. The amount or percentage of the Participant's benefits to be paid by the Plan to each such payee, or the manner in which such amount or percentage is to be determined.

3. The Plan will not consider an Order to be a Qualified Domestic Relations Order if the Order:

a. Requires the Plan to provide any type or form of benefits, or any option, not otherwise provided under the Plan.

b. Requires the Plan to provide increased benefits (determined on the basis of actuarial value).

c. Requires the payments of benefits to an Alternate Payee that are required to be paid to another Alternate Payee under another Order previously determined to be a Qualified Domestic Relations Order.

C. Early Retirement Subsidies

In the case of benefit payments made to an Alternate Payee before a Participant has separated from service, such payments shall not take into account the present value of early retirement subsidies for which the Participant may be eligible. If the Participant subsequently retires with subsidized early retirement benefits, the Plan will recalculate the amount payable to the Alternate Payee only if the Order so specifies.

III. AMENDMENT OF PROCEDURES

The Plan reserves the right to amend any (or all) of the foregoing procedures, in its sole discretion, at any time and from time to time. Moreover, it is expected that Labor Department regulations will be promulgated in the future that may modify these procedures.