

# Plumbers & Steamfitters Local 486

## Pension Fund

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### SUSPENSION OF BENEFITS

Dear Retiree:

The purpose of this notice is to inform you that the Plan rules governing suspension of benefits have been revised, in accordance with recently enacted Department Of Labor regulations.

The revised suspension of benefits rules under the Plumbers & Steamfitters Local 486 Pension Fund provide for suspension of benefits in the event that a pensioner works for 40 hours or more in a calendar month, or a four or five week payroll period ending in a calendar month, including self-employment, that is:

- in an industry in which employees covered by the Plan were employed and accrued benefits under the Plan at the time he became a pensioner,
- in a trade or craft in which the pensioner was employed at any time under the Plan, and
- in the State of Maryland.

Pensioners who engage in "unauthorized" employment will have their pensions withheld for each month they are so employed. The only exception to the above rules may occur when a pensioner engages in Covered Employment, at the request of the Business Manager of the Union because there is full employment in the steam and general pipefitting industry within the geographical jurisdiction of the Union, and does not earn more in a Plan Year than the maximum amount currently allowed under the Social Security Act without causing loss of Social Security benefits.

The Trustees have adopted the following procedures in order to enforce the Plan's suspension of benefits rules:

1. Pensioners who engage in unauthorized employment are required to notify the Fund Office, in writing, within 15 days after beginning such employment. The Trustees may require such pensioners to periodically provide evidence of their employment status.
2. When benefit payments are suspended, pensioners will be notified by personal delivery or first class mail during the first calendar month in which payments are withheld.

3. Pensioners whose benefits are suspended will be required to file a Benefits Resumption Notice upon re-retirement in order to have their benefits begin again. To meet this notice requirement, simply advise the Fund Office in writing as to when you stopped or will stop working in unauthorized employment. Benefit payments will resume no later than the third month after the month in which you ceased to work in unauthorized employment.
4. Pensioners may request an advance determination as to whether a particular type of employment will result in the suspension of benefits. A simple written request addressed to the Trustees is all that is required.
5. Pensioners whose benefits are suspended or who receive an advance determination that they question, have a right to appeal the Trustees' determination by written request filed with the Trustees within 60 days after receipt of the notice of the suspension or advance determination. The Trustees shall consider the appeal and their decision will be in writing and will include the specific basis for the decision and specific reference to the Plan provisions on which the decision was based.
6. The Trustees will offset any pension payments made which should have been suspended against future pension payments. The amount of the offset will be the maximum allowed under the law.
7. The Trustees have the right to presume that a pensioner engaged in unauthorized employment in construction has worked at least 40 hours per month for the length of the construction project. It is up to the pensioner to prove otherwise.

The official text of the Plan rules, including the relevant provisions of the Summary Plan Description concerning suspension of benefits may be obtained at the Fund Office. The applicable Department of Labor Regulations governing the suspension of benefits under pension plans may be found in Section 2530.203.3 of the Code of Federal Regulations.

Please call or write the Fund Office if you have any questions concerning the information contained in this notice.

Sincerely,

Fund office  
Pension Department