

PLUMBERS AND PIPEFITTERS NATIONAL PENSION FUND

SUMMARY OF THE PLAN PROVISIONS ON SUSPENSION OF BENEFITS DUE TO A RETURN TO WORK

In accordance with Section 9.07 of the Plan and Section 2530.203-3 of the Department of Labor regulations, **payment of your pension will continue for only as long as you remain Retired and do not return to work** in the plumbing and pipefitting industry. The Fund may, at any time require evidence of your continued entitlement to a pension benefit.

Payment of your pension will be suspended for the period of time in which you return to work in Disqualifying Employment in the plumbing and pipefitting industry, plus an additional six months. However, if you return to work **after reaching Normal Retirement Age (age 65), payment of your pension will be suspended only for those months in which you work for 40 or more hours.**

Disqualifying Employment **before** age 65–

- work for any Contributing Employer or any employer in the same or related business,
- self-employment in the same or related business as any Contributing Employer,
- employment or self-employment in any business which is under the jurisdiction of the Union, or
- employment with the Union or any Fund or program to which the Union is a party.

Disqualifying Employment **after** age 65–

- employment or self-employment in the plumbing and pipefitting industry,
- employment or self-employment in any occupation covered by the Plan, and
- employment or self-employment in any area of the United States in which contributions are required to be made by or on behalf of any employer, which includes almost the entire country.

In accordance with the provisions of the Tax Reform Act of 1986, your monthly benefit is not subject to suspension as of the April 1st following the Calendar Year in which you attain age 70 1/2, regardless of whether or not you continue working in Disqualifying Employment. If you reach age 70 1/2 at any time during a Calendar Year and continue to work, your monthly benefits will be reinstated as of April 1 of the following year, and your monthly benefit will be adjusted for the additional credit you earned through the prior Calendar Year. If you continue to work thereafter, your monthly benefit will be annually reviewed for any adjustment due based on the additional credit, which will be effective the following January and begin with your payment in March.

Prior to attaining age 70 1/2, you must notify the Fund in writing within 30 days of your return to work. If you fail to give such notice, the Fund will presume that you

have worked and are continuing to work at least 40 hours each month until you give notice that you have ceased working in Disqualifying Employment. You have the right to overcome this presumption by establishing that the work being performed was not or is not in fact an appropriate basis, under the Plan, for suspension of your benefits. Furthermore, if you have not reached Normal Retirement Age upon your subsequent reretirement, **your failure to notify the Fund of your return to work will result in an additional six-month suspension of benefits.**

When you stop working and want to retire again, you must notify the Fund in writing. Failure to give such notice will delay the resumption of payment of your benefit. Payment will resume after the last month for which benefits were suspended or the month following receipt of notice, whichever is later. Unless reimbursement was made to the Fund at the time you returned to work, any overpayment you received resulting from your return to Disqualifying Employment will be withheld in full from your payments upon reretirement. If you have reached Normal Retirement Age upon reretirement, your first payment will be withheld in full (for a period not to exceed three months), and thereafter 25% will be withheld each month until the total overpayment has been recovered.

If your initial pension was calculated with an Early Retirement age reduction, the monthly amount of your pension when resumed after your suspension will be recalculated based on your age when your benefit is resumed, reduced by the months for which you previously received benefits, plus the months your benefits were suspended and would have been suspended had you attained Normal Retirement Age. If you earn additional pension credit during your return to work, your benefit will be recalculated to include the additional credit you earned during your suspension in accordance with the provisions of the Plan at the time of your reretirement. If your original Effective Date was before you reached Normal Retirement Age, any additional benefits accrued during your suspension will be treated as a separate benefit. When you re-retire you will be provided with election forms to select the form of payment for this separate benefit. If your original Effective Date was after you reached Normal Retirement Age, the additional benefits accrued during your suspension will be added to your previous pension and made in the same form of payment for survivor benefits as previously elected. You will not have election forms to complete for this additional benefit.

If you receive notification from the Fund, which you believe to be in error, that your pension benefit has been suspended and will continue to be suspended for a specified period of months following your reretirement, you may make a **written appeal** requesting that the Trustees review this action. Your appeal must be made within **180 days** after you are notified of this suspension.