



TEAMSTERS LOCAL UNION NO. 731 EXCAVATORS & PAVERS PENSION TRUST FUND

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ANNUAL NOTICE TO RETIRED MEMBERS

Please be advised that it is required by the United States Department of Labor pursuant to the "SUSPENSION OF BENEFITS" rule to provide an Annual Notice to all pension benefit recipients.

If you are retired and intend to return to work, you should obtain a determination from the Fund Office as to whether such work will be considered disqualifying employment. If you disagree with the determination, you have the right to request a review of said determination within sixty (60) days.

IF YOU CONTINUE TO WORK FOLLOWING RETIREMENT OR IF YOU RETURN TO WORK FOLLOWING RETIREMENT, YOUR MONTHLY BENEFITS WILL BE SUSPENDED WHEN ALL THE FOLLOWING CONDITIONS EXIST:

- 1. In a calendar month, you work or receive pay for any hours prior to age 65 or at least forty hours in any month after age 65; and**
- 2. When the work performed is in the same industry, trade or craft; and**
- 3. When the work performed is in the same geographic area covered by the Fund.**

■■■ Work that satisfies the abovementioned conditions is known as "disqualifying employment" ■■■

Pursuant to the provisions of the Suspension of Benefits Rule, if you return to work, you are required to notify the Trust Fund Office of your return to or expected return to work. If you are under age 65, the Fund Office is mandated to withhold one month's pension for every month in which you perform any work in disqualifying employment. If you are age 65 or over, your monthly pension will not be withheld for any month unless you work more than forty hours in disqualifying employment. Your monthly benefit will not be suspended for any month after the April 1 following the calendar year in which you reach age 70½. Your benefits will resume upon notification that your work has terminated. Special notification forms are provided and are available at the Fund Office for your convenience.

If you fail to notify the Trustees that you have returned to work in disqualifying employment or if you willfully misrepresent your employment to the Trustees, your benefit may be suspended for an additional three (3) months.

If you fail to notify the Fund Office of your return to work and benefits are paid to you for any month in which they should have been suspended, the benefits will be recovered by deducting them from future monthly payments. If you are under 65, 100% of your month's total benefit payment will be deducted until all benefits, which should have been suspended, are recovered. If you are age 65, your first monthly payment upon resumption of benefits will be subject to recovery without limitation; however, beginning with the second payment and continuing thereafter until the full amount of all payments which should have been suspended are recovered, the deduction in any one month will not exceed twenty-five percent of that month's total benefit payment which would have been due except for the deduction.

If you should pass away prior to recovery of the full overpayment, the unpaid balance will be withheld from any death benefit payable on your behalf.

Finally, if you feel that your benefits have been improperly suspended, you may ask the Board of Trustees to review the suspension in accordance with the established claims procedure described within the Summary Plan Description Booklet.

Thank you,

The Board of Trustees