

I.B.E.W. LOCAL 540 PENSION PLAN

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Critical Employment Period Declaration

At its meeting on August 6, 2019, the Board of Trustees of the IBEW Local 540 Pension Plan unanimously approved to continue the Critical Employment Period, or CEP. The Trustees have the discretion to declare a CEP when they feel there are insufficient craftsmen or craftswomen registered for employment on the Union's referral books due to increased demand for labor.

During a CEP, a retiree with a pension effective date at least 6 months prior to the declaration of a CEP may return to work for up to 1,000 hours without having his or her pension suspended. When there is no CEP, a retiree may only work for 40 hours a month before having his or her pension suspended. All other suspension of benefits rules remain in effect, both during a CEP and during regular employment periods.

The calculation of the 1,000 hours begins on the effective date of the declaration. So, in this case, an eligible retiree may return to work for 1,000 hours beginning August 1, 2019 so long as the CEP is in effect. Hours worked prior to August 1, 2019 will not be taken into account for the 1,000 hours. Only those retirees whose retirement effective dates are on or before February 1, 2019 may take advantage of the CEP.

If an eligible retiree works more than 1,000 hours during the CEP, he or she will no longer be able to take advantage of the CEP increased hours allowance and will revert to the old rules of 40 hours per month.

Disability retirees are not eligible to take advantage of the CEP.

The CEP only applies to the jurisdiction of International Brotherhood of Electrical Workers Local 540. This consists of the North half of Carroll County, Knox Township in Columbiana County, Holmes County, Smith Township and the city of Sebring in Mahoning County, Stark County, the portion of Tuscarawas County north of Auburn, Clay, Rush and York Townships, and the portion of Wayne County south of Baughman, Chester, Green and Wayne Township. The jurisdiction does not include the geographic jurisdiction of the International Brotherhood of Electrical Workers Local 64, 246, 306, 573, 688 and 1105 and any other local of the International Brotherhood of Electrical Workers which borders the jurisdiction of Local 540.

Under the old rules, a retiree could only work up to 39 ½ hours in Local 540's jurisdiction before his or her benefit would be suspended. Under the CEP, the retiree can work up to 1,000 hours within Local 540's jurisdiction before his or her benefit is suspended. The CEP does not change any of the rules that apply to work outside Local 540's jurisdiction.

The CEP does not apply to retirees who work for employers for which no contributions are owed to the Fund. For example, if a retiree returns to a signatory employer but in a job that doesn't require contributions to the Pension Fund, the CEP will not apply to that employee. The CEP also does not apply to retirees who work for employers who are not signatory to the IBEW 540 CBA.

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The Trustees have the discretion to extend or cancel the CEP. If the CEP is extended or canceled, you will receive notice. Once the CEP is canceled, the old suspension of benefit rules will become effective once again. An extension of the CEP does not reset the 1,000 hour allowance for eligible retirees.

In this particular case:

1. Was your retirement effective date on or before February 1, 2019?
If no, you are not eligible for the CEP.
If yes, go to question 2.
2. When you return to work, are you working for a signatory employer?
If no, you are not eligible for the CEP.
If yes, go to question 3.
3. Are you working within the jurisdiction of Local 540?
If no, you are not eligible for the CEP.
If yes, go to question 4.
4. Have you worked for a signatory employer within the Local 540 jurisdiction for more than 1,000 hours since August 1, 2019?
If **yes**, you are not eligible for the CEP.
If **no**, you are eligible for the CEP.

Again, so long as the CEP is still in effect, once a retiree reaches 1,000 hours, his or her benefit will be suspended when he or she works more than 40 hours.

Date mailed: August 20, 2019