



# Indiana/Kentucky/Ohio Regional Council of Carpenters' Fringe Benefit Funds

P.O. Box 969, Troy, MI 48099-0969  
Phone: (800) 700-6756

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## INDIANA CARPENTERS PENSION FUND

### Extended Exception to Suspension of Benefit Rules

December 2019

Dear Participant:

The Board of Trustees of the Indiana Carpenters Pension Fund ("Plan") is required to provide each Participant with notification of important changes made to the Plan. This notification, which is called a Summary of Material Modifications ("SMM"), is intended to update the Plan's current Summary Plan Description ("SPD").

*For Calendar Year 2020 only*, the Plan's Board of Trustees is pleased to announce an extended exception to the suspension of benefit rules, which applies only to participants who retired prior to January 1, 2020.

#### **PROHIBITED EMPLOYMENT - EXTENSION OF TEMPORARY EXCEPTION**

- Effective for the period January 1, 2020 through December 31, 2020, the Board of Trustees has extended the temporary exception to the Plan's prohibited employment rules, which permits retirees to work up to 600 hours with a contributing Employer without having their benefit suspended. This temporary exception was initially effective for the period January 1, 2017 through December 31, 2017, then extended for the periods January 1, 2018 through December 31, 2018 (for participants who retired prior to January 1, 2018) and January 1, 2019 through December 31, 2019 (for participants who retired prior to January 1, 2019), and has now been extended to apply to the period January 1, 2020 through December 31, 2020 (for participants who retired prior to January 1, 2020).
- **IMPORTANT: This exception to the suspension of benefits rule is in effect only for members who retired prior to January 1, 2020.**
- Normally, a retiree who works 40 or more hours per month in prohibited employment with any employer is subject to suspension and permanent forfeiture of his/her pension benefit for periods that the retiree is deemed to be engaged in Prohibited Employment. Prohibited employment is defined further in your SPD.
- Under the temporary exception, during the period beginning January 1, 2020 and ending December 31, 2020 (the "Exception Period") a retiree who retired prior to January 1, 2020 may work in the same industry, in the same trade or craft, in the geographical area covered by the Plan, for an employer who contributes to the Plan, for up to 600 hours without being considered engaged in prohibited employment. In other words, monthly employment of 40 hours or more will not be considered prohibited employment if your aggregate hours do not exceed 600 hours during the Exception Period. The standard Prohibited Employment rules (including the 40-hour per month limit) will again apply if you exceed the 600-hour exception limit during this Exception Period.



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- Employment of 40 hours or more per month with an employer who does not contribute to the Plan will continue to be considered prohibited employment and is not subject to this temporary 600-hour exception.

## UPDATE TO SPD

Section 8, "Suspension of Benefits," of the SPD has been modified to read as follows:

### **8. Suspension of Benefits**

If you return to work after terminating employment and beginning to receive a pension benefit, or continue working after normal retirement age (65) without retiring, your eligibility to receive pension benefits will be suspended and you will permanently forfeit the benefits that are suspended if the employment is considered "Prohibited Employment," which is defined as:

If you have reached age 65, you are engaged in Prohibited Employment if you are working 40 hours or more in a month in employment (including self-employment) that is:

1. In the same industry in which employees covered by the Plan are employed and accruing benefits under the Plan; and
2. In the same "trade or craft" in which employees covered by the Plan are employed and accruing benefits under the Plan; and
3. In the same geographic area covered by the Plan.

If you have NOT reached age 65, you are engaged in Prohibited Employment if you are working 40 hours or more in a month in employment (including self-employment) that is:

Located in the State of Indiana; and

1. In the same "trade or craft" in which you were employed while covered by the Plan; OR
2. In the same industry in which you were employed while covered by the Plan, and for an employer that does not contribute to the Plan.

Temporary Exception: A participant will be excepted from the Prohibited Employment rules described in this section if the participant returns to employment in the same industry, in the same trade or craft, in the geographical area covered by the Plan, for an employer who contributes to the Plan, for up to 600 hours during any of the following periods (hereinafter each referred to, in part, as an "Exception Period"): January 1, 2017 to December 31, 2017; January 1, 2018 to December 31, 2018 (for participants who retired prior to January 1, 2018); January 1, 2019 to December 31, 2019 (for participants who retired prior to January 1, 2019); and January 1, 2020 to December 31, 2020 (for





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participants who retired prior to January 1, 2020). Monthly employment of 40 hours or more will not be considered Prohibited Employment if the participant has not yet worked in the same industry, in the same trade or craft, in the geographical area covered by the Plan, for an employer who contributes to the Plan in excess of 600 aggregate hours during an Exception Period. After the participant's aggregate hours of such employment reaches 600 during an Exception Period, the general rule (including the suspension rule that applies if 40 or more hours of Prohibited Employment are performed in a month) will apply. Employment of 40 hours or more per month with an employer that does not participate in the Plan will continue to be considered Prohibited Employment and is not subject to this temporary exception. This exception does not apply if you are receiving disability benefits.

Your pension benefit payments will be suspended for one month for each month in which you engage in Prohibited Employment. If you do not report your Prohibited Employment, further penalties may apply. Contact the Fund Office if you have questions or to report Prohibited Employment.

If the Trustees suspect that you are working in Prohibited Employment as set forth above, they may suspend your benefit immediately, pending a determination of your employment status. You can prevent this by requesting a prior determination whether a return to work in a particular job will result in suspension of your benefits. You may appeal an adverse determination in accordance with the appeal procedures provided in this summary plan description.

If your benefit is suspended, you may apply for resumption of your benefit when you cease working in Prohibited Employment. Your benefit will be adjusted after the end of a plan year in which you earn a year of service, and also to account for any benefits you received while working in Prohibited Employment. The Trustees are entitled, at reasonable intervals, to request documentation as to your employment status.

Your disability benefit will be suspended for any month in which you are employed in any capacity. The benefit will terminate if the Trustees determine that you are no longer disabled or if you refuse to undergo a medical examination as requested by the Trustees.

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All other Plan provisions remain unchanged. You should retain this SMM with your copy of the SPD.

If you have any questions or concerns, please feel free to contact the Plan Office at: (800) 700-6756.

Sincerely,

The Board of Trustees of the Indiana Carpenters Pension Fund

*This notice, which serves as an SMM, contains only highlights of certain features of the Plan. Full details are contained in the documents that establish the Plan provisions. If there is a discrepancy between the wording here and the documents that establish the Plan provisions, the Plan document language will govern. The Trustees reserve the right to amend, modify, or discontinue all or part of the Plan at any time.*