

## **SUMMARY OF MATERIAL MODIFICATIONS**

This is a summary of recent material modifications relative to the Roofers Local Union No. 71 Pension Plan. Please note that while there may have been other material modifications made during this period, to the extent you were previously notified of those changes we have not included them in this notice. This notice should be kept with your Summary Plan Description and Plan Document.

### **Temporary Waiver of Suspension of Benefits**

The Board of Trustees may, from time to time, adopt by written resolution objective standards under which benefits shall not be suspended for engaging in specific types or categories of Disqualifying Employment for the period specified in the waiver. A Pensioner who returns to work in Covered Employment under this subsection is entitled to earn additional Active Service Credit for the period after the return to Covered Employment but such additional Active Service Credit is not used to increase the portion of the pension attributable to Pension Credit earned prior to the return to work.

Effective March 20, 2024, the Trustees have adopted the following policy setting forth a temporary waiver of suspension of benefits:

#### **I. Pensioner Requirements.**

A Pensioner in pay status will not have his benefit suspended for the period of time he returns to work for a Contributing Employer if he satisfies each of the following conditions:

- (1) The Pensioner must be retired and collecting a pension from this Fund for at least six (6) consecutive months before he will be eligible for a temporary waiver of the Plan's suspension rules.
- (2) Consistent with the Union's rules, the Pensioner must sign the Union's out-of-work list to be eligible for a work referral.
- (3) The Pensioner may return to work for a maximum period of time, in the aggregate, of twelve (12) months, whether consecutive or non-consecutive.
- (4) The Pensioner is allowed to return for one specific job at a time, and cannot transfer to another job during that time.

#### **II. Business Manager Guidelines.**

- (1) The Union Business Manager may request a suspension waiver on a job-by-job basis, as he determines the need.

- (2) The Union Business Manager may use Pensioners to fill the specific lack of manpower needs for both general labor and specialized skill labor.
- (3) The Union Business Manager shall submit his request to the Trustees in advance, in writing, requesting pre-approval for each job in which he needs retiree manpower.
- (4) The request shall, at a minimum, identify:
  - a. The job;
  - b. The Contributing Employer who will employ the Pensioners for the job;
  - c. The number of Pensioners needed;
  - d. The reason for the manpower shortfall;
  - e. The names and social security numbers of each Pensioner to be called for work; and
  - f. The duration of the waiver period (start and end dates).
- (5) The Union Business Manager shall identify the names of the Pensioners who will be called to work for the job, but will wait to call them to work until the Fund can verify each person satisfies the conditions set forth in Section I above, as well as any other conditions that may be imposed by the Trustees from time to time.
- (6) During the period of reemployment, the Contributing Employer employing the Pensioner shall make all contributions to this Fund and all other funds and entities, as required under the applicable collective bargaining agreement for active employees.

### **III. Trustees' Decision.**

- (1) The Trustees' decision on the manpower request is final and binding upon the Union, the Pensioner(s), the Contributing Employer, and any other interested party.
- (2) The Trustees retain the sole and exclusive right to modify, amend and/or discontinue this Policy at any time with or without notice.
- (3) The Trustees retain the sole and exclusive right to discontinue any waiver at any time.

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As always, we, the Board of Trustees, continuously strive to provide you and your family with the best benefits and security available. If you should have any questions or wish to receive further information concerning the mentioned changes, please contact the Plan Administrator, BeneSys, Inc., at 3660 Stutz Drive, Suite 101, Canfield, Ohio 44406 (Phone: 330-779-8864).

**Board of Trustees  
Roofers Local Union No. 71 Pension Plan**

**Date: May 20, 2024.**

*This SMM is intended to provide you with an easy-to-understand description of certain changes to the Plan. This SMM, of course, cannot contain a full restatement of the terms and provisions of the Plan. If any conflict should arise between this SMM and the Plan, or if any provision or feature is not discussed in this SMM or is only partially discussed, then the terms of the Plan will govern in all such cases.*

*The Board of Trustees reserves the right to amend the Plan, or any benefits provided under the Plan, in whole or in part, at any time and for any reason, in accordance with applicable law, the amendment procedures established under the Plan and the Trust Agreement.*

*The Board of Trustees (or its duly authorized designee) has the exclusive right and power, in its sole and absolute discretion, to interpret the terms of the Plan and decide all matters arising under the Plan.*