



**SHEET METAL WORKERS LOCAL
PENSION FUND**
P.O. BOX 368
TROY, MICHIGAN 48099-0368
(248) 641-4902 or Toll Free (866) 599-3176

IMPORTANT NOTICE
SHEET METAL WORKERS LOCAL PENSION FUND
*****SUMMARY OF MATERIAL MODIFICATIONS*****
(Regarding Your Rights to Sue for Plan Benefits)
Effective April 1, 2019

Dear Participant:

The Board of Trustees amended the Plan to limit the time for you to sue to challenge a denial of part or all of a claim for Plan benefits or to exercise other rights you have under the Plan. Beginning **April 1, 2019**, you must file a lawsuit to challenge any denial by the Plan of your right to current or future benefits within one (1) year after your claim for benefits (or to establish a right to future benefits) is finally denied by the Plan. Other Plan-based lawsuits must be brought within one (1) year after they accrue.

The Plan, both before and after amendment, requires that participants and beneficiaries pursue all Plan-based benefit claims and appeals procedures before filing a lawsuit to obtain Plan benefits.

The Board of Trustees is committed to ensuring that the Fund provides participants and beneficiaries with all benefits that they are due. But, the Fund must have reasonable rules to ensure that benefit-related claims and disputes are handled fairly and efficiently. The new rules are designed both to provide participants and beneficiaries with adequate time to vindicate their Plan-based rights and to assure that disputes are addressed quickly and efficiently. The Board of Trustees believe that resolving Plan disputes efficiently and quickly is in the best interest of the Fund and its participants and beneficiaries and will save both claimant and Fund resources.

The One (1)-Year Limit

The one (1)-year limit begins on the date your right to Plan benefits is fixed (without judicial action). For example, the one (1)-year limit will begin:

- On the day following the date on which the Plan finally denies your claim for benefits (or right to future benefits).
- On the day following the last day for you to appeal a Plan denial of your claim for benefits or future benefits (if you decide not to appeal that denial).
- On the day following the last date on which you could file a claim for benefits under the Plan (if you do not file a claim before the applicable claim-filing deadline).

The new one (1)-year limit **does not** apply to Plan-related rights that you have that are not based on the Plan itself. For example, the one (1)-year limit does not apply to claims that Plan fiduciaries have violated their ERISA-imposed fiduciary duties.

Need to Use Plan Claims and Appeals Procedures

The Plan requires participants and beneficiaries to exhaust internal Plan remedies before filing a court action to vindicate Plan-based rights. If you do not file a benefit claim or take permitted appeals from denied claims, you may be prevented from filing a lawsuit to enforce your rights.

Future Notices about Regarding Statute of Limitations

The Board of Trustees is providing you this notice so that you will know about the new and important one (1)-year limit and to remind you of the importance of using Plan procedures. The Board of Trustees will provide you with periodic additional notice of the limit at least annually and at other appropriate times (e.g., in letters from the Fund itself concerning your benefit claims). But, these requirements apply even though all Fund communications may not remind you of them.

If you Would Like More Information

If you have questions regarding this Notice, please call the Plan Office at (248) 813-9800. If you have any questions about this statement or your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you may contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory, or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W. Washington D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.

Your Rights Under ERISA

As a Plan participant, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974, also called ERISA. ERISA provides that all Fund participants are entitled to:

- A. Examine, without charge, at the Plan Administrator's office and at other specified locations, such as worksites and union halls, all documents governing the plan, including insurance contracts and collective bargaining agreements, and a copy of the latest annual report (Form 5500 series) filed by the plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.
- B. Obtain, upon written request to the Plan Administrator, copies of documents governing the operation of the plan, including insurance contracts and collective bargaining agreements, and copies of the latest annual report (Form 5500 series) and updated Summary Plan Description. The Plan Administrator may make a reasonable charge for the copies.
- C. Receive a summary of the plan's annual financial report. The Plan Administrator is required by law to furnish each participant with a copy of this summary annual report.
- D. Obtain a statement telling you what rights you have with respect to benefits offered by the Plan. **THIS STATEMENT MUST BE REQUESTED IN WRITING AND IS NOT REQUIRED TO BE GIVEN MORE THAN ONCE A YEAR.** The Plan must provide this statement free of charge.

In addition to creating rights for plan participants, ERISA imposes duties upon the people who are responsible for the operation of the Fund. The people (Trustees) who operate the Fund, called "fiduciaries" of the Fund, have a duty to do so prudently and in the interest of you and other plan participants and beneficiaries. No one, including your employer, your Union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a plan benefit or exercising your rights under ERISA. In addition:

- A. If your claim for a benefit is denied in whole or in part, you have the right to know why this was done, to obtain copies of the documents relating to the decision without charge, and to appeal any denial, within certain time schedules.
- B. Under ERISA, there are steps you can take to enforce your rights. For instance, if you request materials from the plan and do not receive them within thirty (30) days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator.

- C. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court.
- D. In addition, if you disagree with the Fund's decision, you may file suit in federal court. If the Fund's fiduciaries misuse the Fund's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in federal court. The court will decide who should pay costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and a fee if, for example, it finds your claim is frivolous.

IMPORTANT NOTICE

You should keep this notice along with other Plan notices, as part of your Summary Plan Description. This is only a summary -- it is not an official Plan document. In the event of any ambiguity in or omission from this notice, or any conflict between this notice and the official plan text, the official plan text will govern.

Sincerely,

The Board of Trustees
Sheet Metal Workers Local Pension Fund

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PENSION FUND
P.O. BOX 368
TROY, MI 48099-0368**

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Important Fund Information