



UA LOCAL 190 FRINGE BENEFIT FUNDS
P.O. Box 328 • Troy, MI 48099

(888) 390-7473 ext. 3



To: All Participants in the UA Local 190 Pension Plan ("Pension Plan")
Re: Reinstatement of Suspension of Benefits Rules

WHAT IS THIS NOTICE ABOUT?

This Summary of Material Modifications ("SMM") is to inform you that the Pension Plan's suspension of benefits rules, which the Board of Trustees previously waived temporarily, will resume on **June 1, 2025**.

SUSPENSION OF BENEFITS RULES FOR EARLY AND NORMAL RETIREES

Under the terms of the Pension Plan, once a Participant retires and begins receiving Benefits, those benefits will be suspended if the Retired Participant:

- (1) Completes 40 or more Hours of Work in any calendar month or in the payroll period falling within a calendar month;
- (2) In the same industry in which any Employer was engaged at the time of retirement;
- (3) In the same trade or craft in which the Participant was employed while an Active Participant; and
- (4) If said work is performed within the State of Michigan.

These rules apply equally to Early and Normal Retirees.

The Pension Plan also permits the Board of Trustees to temporarily waive these suspension of benefits rules if they determine there is a shortage of qualified Employees. During periods when the rules are waived, Retired Participants may return to work for a contributing Employer to the Pension Plan and continue to receive their pension benefits without those benefits being suspended, regardless of the number of hours worked. The Board of Trustees previously waived the suspension of benefits rules, and the rules currently are not in effect. However, beginning **June 1, 2025**, the suspension of benefits rules will be reinstated.

HOW DOES THIS NOTICE AFFECT ME?

If you are a Retiree receiving benefits under the Pension Plan but are completing more than 40 Hours of Work per month in employment which satisfies the conditions set forth above, your benefits will be suspended if you continue such employment after June 1, 2025. If you elect to continue such employment despite the



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suspension of your benefits, you must notify the Board of Trustees in writing of your employment. If you do not notify the Board and are discovered engaging in employment for which benefits are subject to suspension, the Board will presume that you have been working for the entire period that your Employer has performed work on the jobsite, and your benefits will be suspended for that period. You will have the opportunity to rebut this presumption, but the burden will be on you to convince the Board of Trustees by providing appropriate proof. You may also request a determination as to whether specific contemplated employment with cause your benefits to be suspended under these rules.

If your benefits are suspended, they will be suspended on the first day of the calendar month or payroll period following the month or payroll period during which you first satisfy the conditions for the suspension of benefits. Once your benefits are suspended, they will not restart until you notify the Board of Trustees in writing that you no longer satisfy all of the conditions for the suspension of benefits. After so notifying the Board, your benefits will resume no later than the first day of the third calendar month following the month in which you provided notice to the Board. If you receive benefits for any period of time in which your benefits were subject to suspension, the Board of Trustees are entitled to recoup such overpayments.

WHAT DO I NEED TO DO?

The changes discussed in this notice will take effect automatically. **Please remember that if you are a Retiree and are engaging in Covered Employment, you must notify the Fund Office. Failure to do so may affect the receipt of your pension benefits.**

IMPORTANT REMINDERS

This SMM is a summary and is **not** an official plan document. The actual terms of the Plan are contained in the plan document, which is available at the Fund Office. In the event of any ambiguity in or omission from this SMM, or any conflict between this SMM and the official plan document, the official plan document will govern. If you have any questions regarding this SMM, your benefits, or wish to obtain an updated copy of the Plan Document or SPD, please contact the Fund Office at (888) 390-7473 ext. 3.

Sincerely,

The Board of Trustees