



# PLUMBERS & STEAMFITTERS LOCAL 166 BENEFIT FUNDS

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## NOTICE REGARDING TEMPORARY WAIVER OF SUSPENSION OF BENEFITS

### SUMMARY OF SUSPENSION OF BENEFITS PROVISIONS

November 1, 2025

The Plumbers and Steamfitters Local 166 Defined Benefit Pension Plan (166 Plan), like most pension plans, contains suspension of benefit provisions. These provisions permit Plan Trustees to suspend monthly pension benefits when an individual engages in Disqualifying Employment after retirement or continues in Disqualifying Employment past normal retirement age. The 166 Plan also allows the Trustees to waive these provisions to allow Retirees to return to work and not have their benefits suspended, i.e. allow Retirees to work and continue to receive their pension benefits. Set forth below please find:

1. A Temporary Waiver of the Suspension Rules adopted by the Trustees effective November 1, 2025.
2. A Summary of the Plan Provisions Related to Suspension of Benefits, which applies when the Temporary Waiver is not applicable, or if there is no waiver in place.

### TEMPORARY WAIVER OF SUSPENSION OF BENEFITS PROVISIONS

To avoid confusion and promote consistency in application, effective November 1, 2025, the 166 Plan Trustees adopt the Waiver for Manpower currently in effect under the Plumbers and Pipefitters National Pension. In other words, when a Waiver for Manpower in the jurisdiction of Local 166 is approved by the National Pension Fund, a waiver of the same duration, covering the same work or project and the same Retirees will be in effect under the 166 Plan. The Local 166 Business Manager submits a Waiver of Manpower request to the National Pension Fund when the Business Manager determines, due to extenuating circumstances, that manpower needs cannot be met by currently available workers and travelers and Retirees are the last available resource. In general, a Waiver of Manpower will be granted for a time frame as short as possible, not to exceed 12 months, subject to extension for exceptional circumstances. **The 166 Plan Trustees retain the right to revoke this waiver at any time.**

**Important Note Regarding Retirement:** A separation from employment with a bona fide intent to retire is required for a participant to begin receiving pension benefits. Once a person has retired and commenced pension benefits, he/she may return to work subject to the Plan's suspension rules. Thus, waiver of suspension rules cannot apply to someone who has not retired (because they should not be receiving benefits at all). **Under the Waiver of Manpower discussed above, in general a person will not be considered to have actually retired for purposes of the waiver until he/she has been retired six full months.**

**Contributions Received During Temporary Waiver:** For Retirees that return to work under this Temporary Waiver, the Board of Trustees would like to remind you that:

- **Self-Payment for Health Coverage:** You must continue to make your required self-payment to maintain coverage under the 166 Health Fund. You will be reimbursed for your self-payment out of health fund contributions received for hours worked during the Temporary Waiver.
- **HRA Contribution:** For every hour worked, there is \$0.50 contribution to the HRA. If you return to work under this Temporary Waiver, you will receive this contribution for every hour worked.
- **Annuity Contribution:** If you return to work under this Temporary Waiver, you will receive this contribution for every hour worked.

### **SUMMARY OF PLAN PROVISIONS RELATED TO SUSPENSION OF BENEFITS**

**As noted above, there is a Temporary Waiver in place. The rules summarized below apply when there is no waiver or if the current Temporary Waiver does not apply.**

**Disqualifying Employment:** As noted above, suspension of benefit provisions under the Plan permit the Trustees to suspend monthly pension benefits when an individual engages in Disqualifying Employment after retirement, or continues in Disqualifying Employment, past Normal Retirement Age and prior to April 1st of the calendar year following the year the individual reaches age 70 ½. In summary, Disqualifying Employment is:

#### **Before Normal Retirement Age, i.e., age 62:**

- Employment or self-employment that is:
  - with a Contributing Employer;
  - in the same or related business as a Contributing Employer; and
  - in any form for any business employing plumbers or steamfitters.
- There is no limit to the geographic area for Disqualifying Employment described above.
- The monthly benefit will be suspended for up to 12 consecutive months after any consecutive period of one or more months during which a Participant was engaged in Disqualifying Employment. However, any portion of the 12-month period remaining at the time a Participant become totally and permanently disabled will be waived by the Trustees.
- If a Participant fails to notify the Plan of employment that may be the basis for the suspension of benefits above or willfully misrepresents to the Plan with respect to Disqualifying Employment, then their monthly benefit will be suspended for an additional period of six months,

### **After Normal Retirement Age, i.e., age 62:**

- Employment of self-employment for 40 or more hours:
  - In an industry covered by the Plan when the Participant's pension payments began;
  - In the geographic area covered by the Plan when the Participant's pension payments began; and
  - In any occupation in which the Participant worked under the Plan at any time or any occupation by the Plan at the time the Participant's pension payments began.
- However, if a Participant worked in Covered Employment in a skilled trade or craft, that is, as a plumber or steamfitter, employment or self-employment will be Disqualifying only if it is in work that involves the skill or skills of that trade or craft directly or, as in the case of supervisory work, indirectly. In any event, any work for at least 40 hours in a month for which contributions are required to be made to the Plan will be Disqualifying.
- If a retired Participant reenters Covered Employment to an extent sufficient to cause a suspension of benefits, and his pension payments are subsequently resumed, the industry and geographic area covered by the Plan "when the Participant's pension payment began" will be the industry and geographic area covered by the plan when his pension is resume.

**Reporting and Verification Requirements:** Every Pensioner must promptly notify the Trustees of any employment and provide the Trustees with information to verify such employment within 21 days after starting such work. A Pensioner must provide information requested by the Trustees, in their sole discretion, to confirm whether he/she is employed or unemployed or the nature of any employment. The Trustees may withhold benefit payments until such information is provided.

**Presumptions:** Whenever the Trustees become aware that a Pensioner is engaged in Plan Related Employment and the Pensioner has not complied with the reporting requirements, the Trustees may, unless it is unreasonable to do so, act on the basis of the rebuttable presumption that the Pensioner has engaged in Disqualifying Employment (and for at least 40 hours if over the age of 62) and suspend his/her benefits. The Participant shall have the right to overcome such presumption by establishing to the satisfaction of the Trustees that his work was not in fact an appropriate basis, under the Plan, for suspension of his benefits

**Notice of Suspension:** A Pensioner shall receive a written notice during the first calendar month in which the Trustees suspend his benefit. The notice shall include a description of the reasons his benefit is being suspended, a general description of the suspension provisions, a copy of the Plan provisions related to suspension of benefits, an explanation of review procedures, and information required by 29 CFR 2530.203-3(b)(4).

**Resumption of Payments:** A Pensioner must notify the Fund Office when he is no longer engaged in Disqualifying Employment. Once this is verified, the Pensioner's monthly retirement benefit shall become payable on the next regularly scheduled date for the payment of benefits. If a Participant received a benefit for a month in which his benefit should have been suspended, upon resumption of payments the Trustees shall withhold 100% of the initial monthly payment and up to 25% of subsequent monthly benefit payments until the Plan has been repaid all benefits which should have been suspended.

**Waiver:** From time to time, the Trustees in their sole discretion may lift in whole or in part the suspension rules for a period of time for Pensioners who have returned to Disqualifying Employment, provided such waiver is applied to similarly situated Pensioners.

**Regulations:** These rules are interpreted according to the applicable Department of Labor regulations, which may be found in §2530.203-3 of the Code of Federal Regulations.

**Working in Disqualifying Employer after Normal Retirement Age:** In general, the benefit of a participant who continues to work past normal retirement age is actuarially adjusted to the date of retirement. However, if a Participant engages in Disqualifying Employment after Normal Retirement Age, no actuarial adjustment will be applied.

**The above is a general summary of Plan provisions. Nothing in this summary is meant to change the Plan provisions in any way. Please see the Plan document for further details and contact the Fund Office with any questions.**