



## CALIFORNIA FIELD IRONWORKERS TRUST FUNDS

Pension Trust • Welfare Plan • Vacation Trust  
Apprenticeship Training & Journeyman  
Retraining Fund • Annuity Trust

(Date)

First Class Mail

Participant Name  
Member ID  
Participant Address

Re: Suspension of Pension Benefits From the CA Ironworkers Field Pension Trust Pension Plan Due to Employment After Normal Retirement Age  
Member ID:

Dear Participant:

This letter is to notify you that the Ironworkers Employee Benefit Corporation (“IEBC”), on behalf of the Board of Trustees, has determined to suspend your pension benefits for working in Prohibited Employment as defined below for the following reason(s):

- You had hours reported by \_\_\_\_\_ for the month(s) of \_\_\_\_\_, which appears to be Prohibited Employment under the California Field Ironworkers Pension Trust Pension Plan; or
- Our records indicate that you have been working for \_\_\_\_\_, which appears to be Prohibited Employment during the following period:  
\_\_\_\_\_ ; or
- You have notified the Trust Fund of your intent to work in Prohibited Employment. Prohibited Employment is described in the following chart:

**DEFINITION OF PROHIBITED EMPLOYMENT.** After Normal Retirement Age, Prohibited Employment is employment **for more than 40 hours in a calendar month** that is in the same industry as employers that contribute to the Plan, in the same trade or craft in which you worked under the Plan, and in the same geographic area (California, Nevada, Arizona) as covered by the Plan. Prohibited Employment includes both Covered Employment and non-union employment, if it is in the same industry, same trade or craft, and same geographic area as covered by the Plan.

Same Industry

Means any industry that includes any employment covered by the Plan when you retired.



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Same Trade or Craft

Means any occupation in which you were employed at any time under the Plan, any occupation where you would use the same skills, or any self-employment or supervisory employment related to the same skills as an occupation you were employed in under the Plan.

Geographic Area

California, Arizona, Nevada.

We previously sent you a letter at or around the time you reached age 65 informing you, that if you returned to work in Prohibited Employment or continued working in Prohibited Employment after age 65, your pension would be suspended and you would not receive nor be entitled to receive pension benefits for any calendar month after age 65 in which you worked in Prohibited Employment for more than 40 hours in a calendar month. For each month that your pension is suspended, you will forfeit pension benefits because you will not receive a pension benefit for such month, nor will you ever receive the value of the benefits that you forfeit. This means that when your monthly pension benefits commence or re-commence, you not receive an actuarial increase for any month after Normal Retirement Age that you worked in Prohibited Employment. However, although you may not receive pension benefits during or for the time you are working in Prohibited Employment following age 65, you may still earn additional pension benefits for your work in Covered Employment after age 65. The Suspension of Benefit Rules can be found in Article VIII, Sections 8(b) and 9(b) (copy attached).

As set forth above, the IEBC has determined that your benefits were suspended. In addition, the IEBC has determined that your monthly pension benefits were overpaid as a result of your work in Prohibited Employment during the following months in which your benefits should have been suspended: [Fill in dates] \_\_\_\_\_  
Based on this information, the IEBC has determined that the amount of the overpayment of benefits is \$ \_\_\_\_\_. This amount was determined based on the \_\_\_\_ months that the IEBC believes you worked in Prohibited Employment.

Because it has been determined that your benefits were overpaid for months in which your benefits should have been suspended in accordance with Pension Plan Rules, the IEBC will deduct the overpayments from your future pension benefit payments. The IEBC will begin deducting the overpaid amounts from your monthly pension benefits by deducting up to 100% of the amount due to you for the first payment and up to 25% thereafter until the overpayment is fully recovered. If you are still working in Prohibited Employment, the deduction will begin when you resume your pension benefits and will be limited to 100% of the amount due to you for the first payment upon resumption of retirement benefits and 25% of the monthly retirement benefits thereafter, until all overpayments are fully recovered.

You are required to notify the Pension Fund when you stop working in Prohibited Employment. You should let us know as soon as possible when you are no longer



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working in Prohibited Employment. You should also notify us within three (3) days if you begin working in Prohibited Employment after age 65 or while you are receiving pension benefits.

The United States Department of Labor has issued regulations covering suspension of pension benefits, which may be found in Title 29 of the Code of Federal Regulations, Section 2530.203-3.

You are entitled to request a review of this suspension of your retirement benefits. If you wish to appeal the suspension of your pension benefits, you or your authorized representative may file a written appeal with the Trust Fund Office within one hundred eighty (180) days of receiving this letter. Upon request, you will be provided free of charge reasonable access to, and copies of, all documents, records and other information relevant to your claim. Any request for review will be considered in accordance with the Claims Procedures set forth in Article VIII, Section 4 and Section 9(i) of the Rules and Regulations of the Plan.

There are no restrictions on employment beginning on April 1st of the calendar year following the year in which you turn age 70 ½. After April 1st of the calendar year following the year in which you turn age 70 ½, your monthly pension benefits will not be suspended for any reason.

If you have any questions about this notice, please contact the Trust Fund Office Pension Department by calling (626) 792-7337, extension 7001.

Sincerely,

California Ironworkers Field Pension Trust

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### CAPITALIZED TERMS USED IN NOTICE

**Covered Employment.** Work for which an Employer is required to contribute to the Pension Fund on your behalf.

**Normal Retirement Age.** Normal Retirement Age is age 65. However, if you are a participant in the Plan at age 65 (or older) and you do not have at least 5 years of Vesting Service (10 years of Vesting Service, for participants who were not Active Participants after June 1, 1998), Normal Retirement Age is the fifth anniversary of the commencement of your participation in this Plan (disregarding participation before June 1, 1988), otherwise the tenth anniversary of your participation in the Plan.