

SAMPLE TERMS OF A QUALIFIED DOMESTIC RELATIONS ORDER
FOR THE CALIFORNIA IRONWORKERS FIELD PENSION TRUST

FREQUENTLY ASKED QUESTIONS

1. How is the former spouse's or Alternate Payee's interest calculated?

This sample uses the time rule formula to calculate the Alternate Payee's interest. The formula determines the community property portion of the pension by dividing the pension credits earned during the marriage by the employee's total years of pension credit as of the earlier of the retirement date of the alternate payee or the participant's retirement date. 50% of the community property share of the participant's pension is awarded to the Alternate Payee. (See paragraphs 6, 7 & 8 of the Sample QDRO). You are not required to use this formula and your order may define the Alternate Payee's share in other ways.

2. When can the Alternate Payee elect to receive his or her share of the Participant's pension?

It depends upon when the participant retires. If the Participant retired before the Fund receive a QDRO, payment of the alternate payee's share typically commences the first of the month following the Pension Fund's receipt of a proper QDRO and the Alternate Payee's retirement application. The Alternate Payee may not defer receipt of his or her share to a later date. (See paragraph 9 of the Sample QDRO.)

If the participant has not retired, the alternate payee may take his or her share at any time after the earliest date on which the Participant could elect early retirement, but again no later than the participant's retirement date. If the participant dies before retirement see FAQ 4 and see paragraph 9 of the Sample QDRO.

3. What type of pension payment will be paid to the Alternate Payee?

It depends upon whether the participant has retired. If the Participant has already retired and is collecting a pension, the Alternate Payee will receive his or her share of the payment option selected by the parties at the Participant's retirement. If the parties selected a Husband and Wife Pension at retirement, the Alternate Payee will receive her share during the participant's life and her share of the survivor annuity if the participant predeceases the Alternate Payee. If, at retirement, the parties selected a single life annuity with 36 month guarantee, payments will be made to the Alternate Payee for the longer of up to 36 months, or the Participant's life. (See paragraph 11 of the Sample QDRO.)

If the participant has not retired, the Alternate Payee's share will be paid to him or her in the form of a single life pension with 36 month guarantee based upon the Alternate Payee's life expectancy. (See paragraph 10 of the Sample QDRO.) You are not restricted

to this payment option. You may also choose any of the Pension Plan's other payment options with one exception. The Alternate Payee may not designate his or her current spouse to receive the survivor annuity payable under the Husband and Wife pension option in the event the Alternate Payee predeceased his or her spouse.

4. What happens if the participant dies before retirement?

If the Alternate Payee is not already receiving her share and the participant dies before retirement, the Alternate Payee will receive her share of the pre-retirement survivor annuity or lump sum payable on the participant's behalf. The Alternate Payee must submit a retirement application and payments will begin when first payable pursuant to the Plan. (See paragraph 12 of the Sample QDRO)

5. Should I use this sample order if I am a retiree? Should I use this sample order if I am still working or have not retired?

This Sample QDRO can be used if you are a retiree or are still working or are not working but have not retired. The sample covers both retirees and any participants who have not yet retired. The sample provides an Alternate Payee with payment options depending upon whether the Alternate Payee's former spouse has retired. (See paragraphs 9, 10, 11 & 12 of the Sample QDRO)

The next questions explain whether and under what circumstances the Alternate Payee's share will become payable to his or her heirs or successors.

6. Do I have the right to designate a beneficiary if my former spouse and I elected to receive a Husband and Wife pension and the Pension Fund received this QDRO after his retirement?

Yes, so long as you designate your successor alternate payee in the QDRO and the successor is the child or dependent of the Participant, you may designate a beneficiary and payment of your share will begin if you pre-decease the participant and will continue to the named beneficiaries for as long as the participant is alive. (See paragraph 15)

7. Do I have the right to designate a beneficiary if my former spouse and I elected to receive a single life pension with 36-month guarantee and the Pension Fund received this QDRO after his retirement?

Yes, so long as you designate a successor by submitting the Pension Fund's beneficiary designation form. Assuming you pre-deceased your former spouse, payments to your designated beneficiaries will continue as long as payments are made to the Participant, or for the balance of the 36 payments, if the Participant also died before his or her receipt of 36 payments. If you fail to designate a successor, payments will revert to the Participant. (See paragraph 16.)

8. Do I have the right to designate a beneficiary if I elected to receive a single life pension with 36-month guarantee payable on my life?

Yes, so long as you designate a successor by submitting the Pension Fund's beneficiary designation form. Payments will only be made to your designated beneficiary if you die before the 36th monthly payment is made and only for the balance of the 36 payments that are due after your death. If you fail to designate a beneficiary, the balance of the 36 payments that are due will be made in accordance with Article V, section 3 of the Plan. (See Paragraph 17.)

The Fund Office will not provide you with legal advice concerning any aspect of your marital dissolution or the Fund's sample QDRO. You should consult an attorney about your rights to pension benefits and as to whether the sample orders are appropriate for you.