

**CENTRAL LABORERS' PENSION FUND**  
**TEMPORARY WAIVER OF SUSPENSION OF BENEFIT RULES**

The Pension Fund's Plan Rules and Regulations provide that the Trustees, at their discretion, may adopt limited, temporary waivers of the Fund's Suspension of Benefits Rules. Those rules provide that your monthly pension benefit is *suspended* during any month in which you engage in Disqualifying Employment. The type of work that constitutes Disqualifying Employment is described on pages 26-28 of the 2018 Summary Plan Description (and pages 23-25 of the 2021 New Entrant Summary Plan Description).

The Trustees have adopted a limited, temporary waiver of the Fund's Suspension of Benefits Rules effective between September 14, 2022 and December 31, 2022 ("Waiver Period") to address a skilled labor shortage.

The limited, temporary waiver of the Fund's Suspension of Benefits Rules is referred to as the "2022 Waiver."

**Description of the 2022 Waiver**

Effective September 14, 2022, the 2022 Waiver provides for a limited, temporary waiver of the Pension Fund's Suspension of Benefits Rules subject to the terms discussed below.

Under the 2022 Waiver, an **Eligible Retiree** may work up to **240 hours** in **Covered and Contributory Employment** with a **Contributing Employer** during the **Waiver Period** before the **Eligible Retiree's** monthly benefit will be subject to suspension under the Plan's Suspension of Benefits Rules.

Each **bolded** term used above is defined below:

**DEFINITIONS**

An "**Eligible Retiree**" means a retiree with a pension effective date (or "annuity starting date") of August 1, 2022, or earlier.

A "**Contributing Employer**" means an employer who is party to a collective bargaining agreement that requires contributions to the Pension Fund.

"**Covered and Contributory Employment**" means work or service for which a **Contributing Employer** is required to make contributions to the Pension Fund under a collective bargaining agreement. The 2022 Waiver does not apply to retirees who work for a **Contributing Employer** where no contributions are required, retirees who work for a **Contributing Employer** where contributions are required by a participation agreement, or retirees who work for any other employer.

"**Waiver Period**" means the time-period between September 14, 2022, and December 31, 2022, during which the temporary waiver of the Fund's Suspension of Benefits Rules applies.

Once the **Eligible Retiree** reaches the waiver's 240-hour limit, the **Eligible Retiree's** right to continue receiving monthly pension benefits while working will be determined solely in accordance with the Pension Fund's established Suspension of Benefits Rules.

In the calendar month in which the 240-hour limit is attained, the **Eligible Retiree** will not be subject to the Plan's Suspension of Benefits Rules unless he/she works 40 or more hours in that month.

To qualify for this temporary waiver, an **Eligible Retiree** must notify the Fund Office in writing, before returning to work, using the Return to Work Notification Form provided by the Fund. As indicated on the Return to Work Notification Form, an Eligible Retiree must also notify the Eligible Retiree's home Local Union and a representative of the Local Union must sign the form. A copy of the Return to Work Notification is attached to this notice and is also available on the Fund's website ([www.central-laborers.com](http://www.central-laborers.com)) under "Latest News" (left side of the home page). To allow the Fund time to review and make a determination regarding the required forms received from retirees, **Eligible Retirees** are encouraged to submit the completed form at least five (5) work/business days before the return-to-work date. If a retiree works in Disqualifying Employment in any month and fails to submit the required form before returning to work, then the Fund will deem the retiree ineligible for the waiver and presume the retiree will continue working in Disqualifying Employment until he/she gives written notice that he/she has ceased Disqualifying Employment.

It is the **Eligible Retiree's** responsibility to monitor the number of hours that they work. The Pension Fund will not notify **Eligible Retirees** before the 240-hour limit is reached.

The Plan's "Actuarial Equivalent" offset rules apply to additional pension benefits earned as a result of post-retirement work in Covered/Contributory Employment, which includes work under the 2022 Waiver. The majority of the 2022 Waiver Period applies to work performed during the first three (3) months of Plan Year 2023 (October, November, and December 2022). Due to the 240-hour limit of the 2022 Waiver, an **Eligible Retiree** will not earn the minimum one-half (1/2) Pension Credit/Vesting Service required for a pension recalculation under this waiver for work performed during the waiver period. Please refer to the Summary Plan Description or contact the Fund Office to discuss your questions regarding pension recalculations.

For more information regarding 2022 Waiver rules, please review the five (5) Examples provided with this notice.

Please be aware that returning to work under the 2022 Waiver will result in contributions being paid to other benefit plans. This notice explains the effect that returning to work will have on your pension benefits with the Central Laborers' Pension Fund only. Please contact your other benefit plans to determine how returning to work may affect your other benefits (including, for example, your retiree health insurance, if applicable).

The 2022 Waiver has been approved only for the period from September 14, 2022, to December 31, 2022. Unless the Trustees take further action, the temporary waiver of the Suspension of Benefit Rules described above will automatically terminate at the end of that time period. **Eligible Retirees** will not receive a separate notice regarding expiration of this temporary waiver.

This Notice constitutes a Summary of Material Modifications for the Central Laborers' Pension Fund and is intended to highlight changes to the Central Laborers' Pension Fund's Plan Documents. Full details are contained in the Plan Documents (which include the Summary Plan Description and Plan Document, and applicable amendments). If there is a discrepancy between the wording here and wording in the Plan Documents, the wording in the Plan Documents will govern. Please keep this Notice with your Summary Plan Description. Please contact the Fund Office if you have any questions.

## Examples to Illustrate the 2022 Waiver

**Example 1:** Eligible Retiree A retired with a pension effective date of July 1, 2022. On October 1, 2022, Eligible Retiree A informed the Pension Fund, in writing, of his intent to return to work under the 2022 Waiver, using the required form, and began work on October 19, 2022. As of November 30, 2022, Eligible Retiree A has worked 180 hours in Covered and Contributory Employment for a Contributing Employer that would have been Disqualifying Employment but for this temporary waiver. Retiree A's Contributing Employer has requested that he work as much as possible in December 2022 so the Employer can complete a project by an established deadline. The work Eligible Retiree A is performing is Covered and Contributory Employment. Under the Fund's Suspension of Benefit Rules, Retiree A's pension benefit would ordinarily be suspended if he worked 40 or more hours in December 2022. However, under the temporary waiver, Retiree A may work as many as 60 hours in December and not have his benefit suspended (180 hours + 60 hours = 240 hours). If Eligible Retiree A works 61 hours in December 2022, Eligible Retiree A's monthly benefit payment will be suspended for the month of December, because he will exceed the temporary waiver's 240-hour limit.

**Example 2:** Eligible Retiree B also retired with a pension effective date of July 1, 2022. On October 1, 2022, Eligible Retiree B informed the Pension Fund, in writing, of his intent to return to work under the 2022 Waiver, using the required form, and also began work on October 19, 2022. As of November 30, 2022, Retiree B has worked 210 hours in Covered and Contributory Employment for a Contributing Employer that would have been Disqualifying Employment but for this temporary waiver. If, in December 2022, Eligible Retiree B works more than 30 hours in employment that would be Disqualifying Employment, he will exceed the 240-hour limit described in the temporary waiver and will be subject to the Plan's normal Suspension of Benefit Rules. However, under the Plan's Suspension of Benefit Rules, Eligible Retiree B may still work as many as 39½ hours during December 2022 and not have his benefit suspended. Therefore, Eligible Retiree B will have his monthly benefit payment suspended in December 2022 only if he works 40 or more hours in that month.

**Example 3:** Retiree C retired with a pension effective date of September 1, 2022. Retiree C notifies the Pension Fund that he intends to return to Covered and Contributory Employment for a Contributing Employer under the 2022 Waiver. Retiree C is not an Eligible Retiree under the 2022 Waiver because his pension effective date is after August 1, 2022. As a result, Retiree C cannot return to work under the 2022 Waiver. Retiree C's eligibility for pension benefits will be determined solely in accordance with the Pension Fund's established Suspension of Benefits Rules. Retiree C can, however, elect to suspend his pension payment to return to Covered and Contributory Employment for a Contributing Employer during any month he intends to work 40 or more hours.

**Example 4:** Retiree D retired with a pension effective date of July 1, 2022. Retiree D notifies the Pension Fund that he intends to return to work under the 2022 Waiver for a Contributing Employer as a superintendent. The superintendent position is not covered under the collective bargaining agreement between the Contributing Employer and the Union. Retiree D is not eligible to return to work under the 2022 Waiver because his employment is not Covered and Contributory Employment for a Contributing Employer. As a result, Retiree D cannot return to work under the 2022 Waiver. Retiree D's eligibility for pension benefits will be determined solely in accordance with the Pension Fund's established Suspension of Benefits Rules. Retiree D can, however, elect to suspend his pension payment to return to employment with a Contributing Employer that is not covered under the collective bargaining agreement.

**Example 5:** Retiree E retired with a pension effective date of July 1, 2022. Retiree E returns to Covered and Contributory Employment for a Contributing Employer on October 19, 2022, but does not inform the Pension Fund, in writing, of his intent to return to work, by using the proper form. Retiree E is not eligible to return to work under the 2022 Waiver because he did not provide proper notice to the Fund before he returned to work. Retiree E's eligibility for pension benefits will be determined solely in accordance with the Pension Fund's established Suspension of Benefits Rules (which limit a retiree's ability to work 40 or more hours per month). Retiree E can, however, elect to inform the Pension Fund, in writing, of his intent to work at a future date within the Waiver Period, by using the proper form. Retiree E can also suspend his pension payment to work in Covered and Contributory Employment for a Contributing Employer during any month he intends to work 40 or more hours.

# CENTRAL LABORERS' PENSION FUND

## 2022 Waiver - Return to Work Notification Form

I, \_\_\_\_\_ (Print First Name, Last Name) elect to return to Covered and Contributory Employment on a temporary basis for up to 240 hours between September 14, 2022, and December 31, 2022 ("Waiver Period").

I plan to return to work on \_\_\_\_\_ (Insert Date) for the following Contributing Employer:

\_\_\_\_\_  
Name of Employer

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Employer Phone Number

\_\_\_\_\_  
City, State, Zip Code

### Please confirm, complete, and initial each of the following statements:

\_\_\_\_\_(Initial). I understand that I must be an Eligible Retiree under the Central Laborers' Pension Fund ("Fund") to return to work during this Waiver Period. To be an Eligible Retiree, I must have a Fund pension effective date (also known as an annuity starting date) on or before August 1, 2022.<sup>1</sup>

\_\_\_\_\_(Initial). I understand that I must work for a Contributing Employer<sup>2</sup> in Covered and Contributory Employment<sup>3</sup> to qualify under the 2022 Waiver.

\_\_\_\_\_(Initial). I understand that once I have worked the maximum 240 hours in Covered and Contributory Employment during the Waiver Period, the normal Suspension of Benefits rules set forth in the Fund's Plan Document and Summary Plan Description will apply, prohibiting certain work for forty (40) or more hours per month.

\_\_\_\_\_(Initial). I understand that it is my responsibility to monitor the amount of hours that I work during the Waiver Period, and further understand the Fund will not notify me before I reach the 240-hour limit permitted under this temporary waiver.

By completing, signing and submitting this Return to Work Notification Form to the Fund, I am certifying that the information I have provided, including the initialed statements, are true and correct. I also acknowledge and understand any Fund overpayments which I receive if I exceed the 240-hour limit during the Waiver Period will be subject to recovery pursuant to the Fund's Plan Rules.

\_\_\_\_\_  
Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date

**RETURN COMPLETED  
FORM TO:**  
Central Laborers' Pension Fund  
Attn Pension Department  
217-245-1293 (fax) or  
pension@central-laborers.com

### FOR LOCAL UNION USE ONLY

The undersigned representative of \_\_\_\_\_ (Insert Local Union Name and No.) acknowledges that the above-named participant provided notice to the Local Union that he/she intends to return to **Covered and Contributory Employment** with a **Contributing Employer**.

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature

### NOTES

<sup>1</sup> Your "pension effective date" is indicated in benefit information provided to you after your pension application was received.

<sup>2</sup> A "**Contributing Employer**" means an employer who is party to a collective bargaining agreement that requires contributions to the Pension Fund.

<sup>3</sup> "**Covered and Contributory Employment**" means work or service for which a **Contributing Employer** is required to make contributions to the Pension Fund on your behalf under a collective bargaining agreement. The 2022 Waiver does not apply to retirees who work for a **Contributing Employer** where no contributions are required, retirees who work for a **Contributing Employer** where contributions are required by a participation agreement, or retirees who work for any other employer.