

SOUTHERN CALIFORNIA PIPE TRADES RETIREMENT FUND

SUPPLEMENT No. 6

To: All Participants

From: Board of Trustees

Date: November 2016

Re: Definition of “Retired” for Participants Who Are Under Age 65

KEEP THIS NOTICE WITH THE SUMMARY PLAN DESCRIPTION (SPD)

Basic Definition of “Retired” for a Participant Who is Under Age 65 Has Not Changed

To be considered “retired” under the Plan and IRS rules, a Participant *who is under age 65* must:

- Sever employment with all employers that contribute to the Retirement Fund; and
- Intend permanently to retire.

This means that a Participant *who is under age 65* will not be considered to have retired if he/she continues to work for a contributing Employer after his/her benefit effective date.*

“Work for a contributing employer” means any type of employment with a contributing employer. This includes work within the bargaining unit (for example, as a plumber or pipe fitter). It also includes work outside the bargaining unit (for example, in a management or supervisory position). A Participant *who is under age 65* will also not be considered to be retired if he/she has an arrangement to return to work with a contributing Employer after his/her benefit effective date.

New Guideline to Help to Decide if a Participant Who is Under Age 65 has, in Fact, Retired

The Plan has adopted a new guideline to help to decide if a Participant *who is under age 65* has, in fact, retired. The new guideline is as follows:

If a Participant *who is under age 65* returns to work for a contributing Employer before the end of the six full months after his/her benefit effective date, the Plan will presume that he/she did not sever employment and did not intend permanently to retire.

In that case, the Participant’s benefit will be stopped. He/she will also have to return all benefit payments previously made by the Plan. His/her coverage under the Pensioners & Surviving

* The benefit effective date is the date the Participant is first entitled to receive a benefit, although the actual payment may be made at a later date.

Spouses Health Fund, if any, will also stop. He/she will also have to repay any health fund benefits paid to him/her or on his/her behalf.

If a Participant's benefit is stopped under this guideline, and he/she believes that his/her benefit should not have been stopped, he/she may file a written appeal with the Board of Trustees. The Participant must give satisfactory and conclusive evidence that he/she did, in fact, sever employment and did intend permanently to retire. The Board of Trustees has the sole authority to decide if any evidence given is sufficient.

Note: The 6-month period is only a guideline. Work with a contributing employer more than 6 months after a Participant's benefit effective date may still be evidence that he/she did not sever employment and did not intend permanently to retire, and result in the stoppage of his/her benefit, depending on all the facts and circumstances.

Note: Even if a participant who is under age 65 has, in fact, retired as described above, his/her benefit may still be stopped if he/she engages in any post-retirement Prohibited Employment, as defined in the Plan and the SPD.