

## PLUMBERS & PIPEFITTERS NATIONAL PENSION FUND

103 Oronoco Street, Alexandria, Virginia 22314-2047 · (703) 739-9020 · (800) 638-7442 · Fax (703) 739-9017  
<http://www.ppnpf.org>

ADMINISTRATOR: WILLIAM T. SWEENEY, JR.

To: All Special Representatives, International Representatives, Contributing Employers,  
and Business Managers

From: Plumbers & Pipefitters National Pension Fund Board of Trustees

Date: May 1, 2013

Re: Changes in Policy on Waiving Suspension of Benefits

At our most recent meeting, the PPNPF Board of Trustees modified the Policy on Waiving Suspension of Benefits for retired Plan participants. A copy of the new policy is attached. **The new policy goes into effect on July 1, 2013.**

All waiver requests must be submitted in writing to the Fund Office from the **Local Union Business Manager**. The new policy continues to permit **limited** waivers of suspension of benefits for some retirees who return to work in certain kinds of employment. For example, waivers may be sought for part-time employment as a **JATC apprentice training instructor** or as a **public inspector**. Part-time JATC instructor waiver requests must be signed by the apprenticeship or training program coordinator.

Another type of waiver may be considered in response to requests by Local Unions or employers for retirees to fill special manpower needs that cannot be met by working members and travelers. These waivers allow retirees with special skills to perform work that requires those skills. Waivers will not be granted for work involving the regular skills of plumbers and pipefitters. If only a retiree can be found with the needed special skills, the employer or the Local Union must supply a **resume** from the employee demonstrating the needed skills.

Other types of waivers are not available, which does not mean retirees cannot work, but it does mean that if they work their monthly pension benefits will be suspended in accordance with Section 9.07 of the Plan Rules. Please consult the attached detailed policy for more information. If you have any further questions feel free to contact the Fund Administrator's Office at (703) 519-4460.

**PLUMBERS AND PIPEFITTERS NATIONAL PENSION FUND  
TRUSTEE POLICY ON WAIVING SUSPENSIONS OF BENEFITS**

*Effective as of July 1, 2013*

The following is the policy of the Trustees on the waiver of suspensions of benefits in accordance with Section 9.07(f) of the Plan:

**Plan Rules on Suspension of Benefits**

Under Section 9.07(a) of the Plan, a retiree's pension is suspended before he reaches Normal Retirement Age (age 65) if he works in Disqualifying Employment, which is defined as

- Employment with any Contributing Employer.
- Employment with any employer in the same or related business as any Contributing Employer.
- Self-employment in the same or related business as a Contributing Employer.
- Employment or self-employment in any business which is under the jurisdiction of the union.
- Employment with the union or any fund or program to which the union is a party by virtue of a written document.

Under Section 9.07(b) of the Plan, Disqualifying Employment after Normal Retirement Age is 40 or more hours in employment or self-employment in an industry covered by the Plan and in any occupation in which the employee worked while in Covered Employment or in any occupation that was covered by the Plan at the time his pension payments began and in the geographic area covered by the Plan when the Participant's pension began.

Section 9.07(f) of the Plan allows the Trustees to waive the suspension of benefits in certain circumstances. That section states:

The Trustees may, from time to time, adopt by written resolution objective standards under which benefits shall not be suspended for engaging in specific types or categories of Disqualifying Employment for the period specified in the resolution granting the waiver.

Under Section 9.07(f) of the Plan, a pensioner who returns to work is entitled to earn additional Future Service Credit and will receive an additional pension amount when he terminates employment. However, the additional pension amount is computed solely on the basis of the Future Service Credit earned after the return to Covered Employment and such additional Future Service Credit is not used to increase the portion of the pension attributable to Pension Credit earned prior to the suspension of benefits.

A separation from employment with a bona fide intent to retire is required in order for a participant to begin receiving pension payments. Once a person has been separated from employment for **6 months** after their effective date of benefits, he or she is eligible to return to work under the Plan's rules for suspension of benefits. Anyone who returns to work in disqualifying employment before six months have passed after their effective date of benefits will be presumed to have not actually retired.

### **Part-time Employment as an Apprenticeship or Training Instructor**

Upon written request, the Fund will waive suspension of benefits for part-time employment as an instructor in any apprenticeship or training program sponsored by the United Association or an affiliated Local Union. Such requests must be made by the Local Union Business Manager and also signed by the apprenticeship or training coordinator. The Fund office will verify the nature of the employment with the apprenticeship or training program. An exception to the aforementioned separation policy is made for retirees returning to employment under this situation. Instead, the retiree must separate from employment for **one pay period**.

### **Public Employment as Inspector**

Upon written request from the Local Union Business Manager, the Fund will waive suspension of benefits for periods of employment by state, county, and municipal agencies as an inspector, but only if such inspectors are not covered by the collective bargaining agreement in the Local Union's jurisdiction. The employer must verify the nature of the employment. The waiver ends if the employee's job classification changes. Also, the retiree must separate from employment for **one pay period**.

### **Local Union and Employer Association Requests for Special Manpower**

These types of waivers may be granted in response to requests from a local union or an employer to fill manpower needs that cannot be met by working members and travelers. Such waivers allow retirees with special skills to perform work that requires those specific skills. These waivers will not be made for any work that is regularly performed by ordinary plumbers and pipefitters and for which no unusual expertise is required. In making a request for an exemption in this category, the Local Union Business Manager must provide the Fund Office with, a resume of the retiree demonstrating the special skills, a written description of the specific work for which the special skills are needed, and the specific time period for which the special skills will be needed. Such waivers will be temporary and the exempt work will be limited to the specific special skills job described in the written request. Such work may or may not be in a job category for which hourly contributions are remitted to the Fund.

### **Retirees Already on the Job**

If a retiree is already on a job for which a waiver has been granted, the waiver will be applied to him for that job retroactively for a period of up to six months on the same terms and conditions.

### **General**

No waiver of suspension of benefits may be used as a means to avoid the requirement of Section 9.06 of the Plan that a participant must retire in order for his pension benefits to commence. Trustees may revise this Policy at any time and in any manner they deem appropriate. All waivers granted hereunder are always temporary, and are subject to recession at any time because of revisions to this Policy or by other actions of the Trustees. At each meeting, the Trustees or the Appeals Committee will review a summary report of waivers of suspension of benefits granted since the last meeting.

**WAIVER OF SUSPENSION OF BENEFITS  
FOR RETIREES RETURNING TO WORK  
PROCEDURES**

Waiver requests are required to be submitted to the Fund Office from the Local Business Manager of the jurisdiction where the work will be performed. The Fund Office responds to waiver requests initially received from retirees by instructing them to contact the Local Business Manager within the area of the employment and request that the Business Manager begin the process. Waiver requests can be processed no more than 2-3 months in advance.

**Requests should be submitted to the Fund Office via:**

Fax: (703) 519-4497 - Attention: William T. Sweeney, Jr.

or

Mail: Plumbers & Pipefitters Nat'l Pension Fund  
103 Oronoco Street  
Alexandria, VA 22314  
Attention: William T. Sweeney, Jr.

**The following information must be included in the waiver request:**

- Retiree(s) name and social security number
- Retiree(s) home local
- Local jurisdiction where the work will be performed
  - If different than the retiree(s)' home local, we will also need a corresponding request from the home Local Business Manager
- Contractor name
- Project name
- Start and end dates of the waiver
- Covered or non-covered employment:
  - **Covered Employment:** Work for which contributions will be made to the Fund Office for the retiree(s) covered by the waiver
  - **Non-covered Employment:** Work for which no contributions will be made for the retiree(s)

- Description of work that will be performed or job title of the retiree(s)  
(example: welder, pipefitter, instructor)
- Reason why the waiver is needed  
(example: outage, retiree has special skills, short term work)
- Resume from the employee demonstrating the needed skills

**Requests for extensions of existing waivers must also include:**

- All previously listed information
- Changes to retiree(s), contractors, or employers  
(example: adding or removing retirees, job sites, contractors)
- New end date for waiver

**If waiver request is for JATC:**

- Part-time or full-time employment
  - No end time is needed for the part-time JATC waivers
- Signature of the JATC Training Coordinator/Director

If you have any questions concerning these procedures, please contact the Fund Office at (703) 519-4460.