



CALIFORNIA FIELD IRONWORKERS TRUST FUNDS

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

DISABILITY RETIREMENT DECLARATION

Member Name

Social Security Number

In retiring on a *Disability Pension* from the CALIFORNIA FIELD IRONWORKERS PENSION TRUST, I declare that I will be bound by all the Rules and Regulations of the Pension Plan, and;

- 1) I understand that if I am younger than age 65, I must refrain from any work for wages or profit in any capacity in the building and construction industry wherever such employment or activity may be performed. For the exact text of the Pension Plan rule, please see the reverse side of this form.
- 2) I understand that if I am age 65 or older, my pension payments shall be suspended only if I work more than 40 hours in any calendar month in any business activity of any employer, including supervisory employment and self-employment, that includes the type of employment covered by this Plan, in the States of California, Arizona and Nevada. For the exact text of the Pension Plan rule, please see the reverse side of this form.
- 3) If I return to the type of employment described above, I will notify the Board of Trustees in writing of this fact within 3 days after I have returned to work.

Or, if I have been receiving a Social Security Disability Pension and lose entitlement to such Social Security Disability Pension, I will notify the Board of Trustees in writing of this fact within 3 days after I receive notice from the Social Security Administration of such loss.

Or, if I recover from the disability for which I have been receiving the Disability Pension, I will notify the Trustees in writing of this fact within 3 days after the date of such recovery.

- 4) I further understand that I will be required to furnish the Board of Trustees from time to time with proof of my continued disability and that if I fail to submit such proof, I will suffer the disqualifications provided by the plan.
- 5) I understand that I, personally, must endorse each pension check or have it deposited with my Bank under a special Payee Deposit Agreement or Electronic Deposit available through the Trust Office.

Before Normal Retirement Age

To be considered retired and entitled to a pension under this Plan before he has attained Normal Retirement Age, a Pensioner must withdraw completely and refrain from any employment or activity in the building and construction industry, including, but not limited to any employment with any trust fund which provides benefits for persons employed in the building and construction industry wherever such employment or activity may be performed.

After Normal Retirement Age

To be considered retired and entitled to a pension under this Plan after he has attained Normal Retirement Age, a Participant must withdraw and refrain from employment for wages or profit in excess of 40 hours of service, as defined in Article I, Section 25(a) or (b), in a calendar month, in the same industry in the same trade or craft in the same geographic area covered by the Plan. For purposes of this rule:

- The “same industry” means any industry that included any employment covered by the Plan when the Participant retired.
- The “same trade or craft” means an occupation in which the Participant was employed at any time under the coverage of the Plan, any occupation utilizing the same skill(s), and any self-employment or supervisory employment related to the same skill(s) as were involved in such occupation(s).
- The “same geographic area” means the States of California, Arizona and Nevada.



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Amendment No. 6 (Revised 12/03) Article VIII – Section 8(a)(iv) RETIRES WORKING AND RECEIVING A PENSION

- (iv) Limited exemption for work in the "building and construction industry."
Only upon advance job specific application and specific approval from the Board of Trustees, employment in Non-Covered Employment as described in paragraphs (b) and (c) of this subsection will not be considered disqualifying for purposes of concurrently receiving pension benefits before Normal Retirement Age if the pensioner:
- (a) is at least age 45 and has earned at least 15 pension credits from this Plan, and,
 - (b) is employed by a Governmental Agency or an Employer bound to make contributions to this Trust under the Collective Bargaining Agreement (who has posted the applicable Union Surety Bond if based in California or Nevada), and,
 - (c) performs the work of a detailer, estimator, provided said job takes place principally in the Employer's office, and not in the field, or sales person or clerical for said Employer, or acts as an Inspector for a Governmental Agency; and,
 - (d) that in the case of a disability pensioner, who retired on a Disability Pension based on medical evidence prior to September 1, 1993, the physical requirements of such work does not negate the original medical findings qualifying such person for pension.

If all the conditions listed above are met, the Pensioner must agree that no welfare coverage will be offered from the date of such employment unless the employer agrees to pay in the current Health and Welfare contribution at a rate of 175 hours per month, that no further pension credits will accrue as a result of the work and that the Pensioner must re-certify his or her status annually in such method as may be directed by the Trustees. **In addition to the annual recertification, a copy of the filed income tax form including W-2 information will be required. A letter requesting approval of continuing employment must be provided along with the recertification and tax information. Approval for employment is only for the job detailed in the letter of request and is only for the employer for which employment approval is requested. Any change in job duties or employer will require approval by the Board of Trustees. Additional information may be requested by the Board of Trustees to assure compliance with the provisions of this subsection.** In the event the Employer is more than three months delinquent in fringe contributions to the Trust, any pension benefits payable in accordance with subsection (iv) shall be suspended. Such suspension shall commence on the first of the month following the date the Pensioner receives notification from the Plan that the exemption is no longer applicable and shall continue until the Pensioner stops prohibited employment or the Employer is no longer delinquent, whichever is earlier.

Amendment No. 13 to the Restatement of the Rules and Regulations of the Pension Plan:

Effective January 1, 2007, Article VIII, Section 8(a)(iv)(c) is revised as follows:

...performs the work of a detailer, estimator, provided such said job takes place principally in the Employer's office, and not in the field, or sales person or clerical for said Employer, or as a safety officer for said employer, or acts as an Inspector for a Governmental Agency;

Signature: _____

Date: _____