



**A GUIDE TO YOUR BENEFITS**

**FROM THE**

**UNITED INDUSTRIAL WORKERS**

**PENSION PLAN**

AUGUST 2012



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## **INTRODUCTION**

This booklet describes the benefits available to you from the United Industrial Workers Pension Plan. It was written for you and other workers who are participants in the Plan.

The UIW Pension Plan is a multi-employer employee benefit plan. It provides defined benefit pensions for employees of employers who have collective bargaining agreements with the United Industrial, Service, Transportation, Professional and Government Workers of North America. The Plan is funded through contributions made by these employers. The assets of the Plan are held in trust for the participants.

This booklet contains important information about your pension benefits. Read it carefully and keep it for future use. You may find it useful to read this booklet through several times. After reading this booklet, you may have some questions. If you do, you can contact the Plan at 1-800-252-4674.

For disabled participants, this book also is available in large print and audiocassette versions. To request these versions, you can contact the Plan's office at:

UIW Pension Plan  
5201 Auth Way  
Camp Springs, Maryland 20746

**Benefits paid to participants are governed by the terms of the Plan in effect at the time of retirement and by any later amendments that affect their benefits.**

**This booklet is only a summary of the UIW Pension Plan. The Rules and Regulations of the Plan and the Trust Agreement, together with laws that apply to benefit plans, control the payment of benefits.**

## INFORMATION YOU SHOULD BE AWARE OF

The UIW Pension Plan is directed by a group of people called the Board of Trustees. The Board of Trustees has the absolute authority to make changes to the Plan. The members of the Board of Trustees are:

David Heindel	Michael DiPrisco
Eugene Irish	Robert Kaynes
John Spadaro	John Mason
Vacancy	Vacancy

The Board of Trustees are called *fiduciaries*. As fiduciaries, they have a duty to make prudent decisions regarding the Plan and to act in the best interest of the participants.

The Board of Trustees appoints a person to take care of the daily operations of the Plan. This person is called the Plan Administrator. The Plan Administrator of the UIW Pension Plan is Margaret R. Bowen.

You can contact the Board of Trustees and the Plan Administrator at:

UIW Pension Plan  
5201 Auth Way  
Camp Springs, Maryland 20746  
(301) 899-0675

Legal process may be served on the Plan Administrator or the Board of Trustees at the above address.

Since the Plan's records are kept on a calendar year basis the end of the Plan year is December 31.

The Internal Revenue Service identification number for the UIW Pension Plan is 11-6106805.

## **WHAT PENSION BENEFITS CAN I RECEIVE FROM THE PLAN?**

Not everyone has the same goals in mind when they plan for retirement. Because of this, the Plan provides four pension benefits. One of these pension benefits is just right for you.

### **Normal Pension**

You can retire on a Normal Pension if you have reached age 65. To receive this pension, you must have credit for 25 years of benefit service with at least 1,800 hours of service in each year.

### **Deferred Vested Pension**

You can retire on a Deferred Vested Pension if you have reached age 65. To receive this pension, you must have credit for at least one day of service after January 1, 1999 and have credit for 5 years of service with at least 1,000 hours of service in each year.

If you do not have credit for service after January 1, 1999, but you have credit for at least one day of service after January 1, 1976, you can receive a Deferred Vested Pension if you have credit for 10 years of service with at least 1,000 hours of service in each year.

### **Early Retirement Pension**

You can retire on an Early Retirement Pension if you have reached age 62. To receive this pension, you must have credit for 15 years of benefit service with at least 1,800 hours of service in each year.

### **Disability Pension**

You can retire on a Disability Pension if you are totally and permanently disabled and can no longer work. As proof of your disability, you must have a Social Security Disability Award or a determination from the Board of Trustees on the basis of medical evidence. To receive this pension, you must have credit for 15 years of benefit service with at least 1,800 hours of service in each year.

## **WHEN DO I BECOME A PARTICIPANT IN THE PLAN?**

After January 1, 1977, you become a participant in the Plan on June 30 of the year that follows any calendar year during which you receive credit for at least 1,000 hours of service.

## WHAT TIME CAN BE COUNTED AS SERVICE UNDER THE PLAN?

### Service

To qualify for any of the pension benefits described in this booklet the following time will be counted as service under the Plan:

- The time that you worked for an employer who is obligated to pay into the Plan for your benefits.
- The time that you served in the Armed Forces of the United States that must be credited under the Uniformed Services Employment and Reemployment Rights Act of 1994.
- The time that you received weekly disability payments from the United Industrial Workers Health and Benefits Plan.
- The time for which you received back pay from an employer who is obligated to pay into the Plan for your benefits.

This time is the only service that can be used to figure the amount of your pension benefit. An hour of service is each hour during which you receive credit for service.

A *year of benefit service* is a calendar year during which you received credit for at least 1,800 hours of service. If you receive credit for less than 1,800 hours of service in a calendar year, you can receive partial credit for a year of benefit service. Partial credit can be added together to make a year of benefit service. This partial credit is as follows:

Hours of Service	Quarter of Service	Hours of Service	Quarter of Service
450 - 899	1	1,350 -1,799	3
900 - 1,349	2	1,800 or more	4

### Past Service Credit

The Plan may count time when you were working for an employer who had not yet begun paying into the Plan. However, past service credit may only be used to qualify you for a pension benefit.

## **IS THERE ANY WAY I CAN LOSE CREDIT FOR TIME I HAVE WORKED?**

If you do not work enough hours each year, you can cause a break in service. You can lose credit for time you have worked through breaks in service. If you lose all of your service credit as the result of breaks in service then you will no longer be a Plan participant.

However, once you have credit for service after January 1, 1999 and you receive credit for five years of vesting service, with at least 1,000 hours of service in each year, without any break periods as discussed below, you cannot lose credit for time you have worked. If you do not have credit for service after January 1, 1999, you must have credit for service after January 1, 1976 and credit for ten years of vesting service without any break periods as discussed below, to keep from losing credit for time you have worked. There are four different break in service rules. Each rule affects a different time period. The four rules are as follows:

### **From January 1, 1968 through December 31, 1975**

For the years 1968 through 1975, a break in service is any three years in a row during which you received credit for less than 1,800 hours in each of the three years. If you have three years in a row, with less than 1,800 hours of service in each year, you will lose credit for all your service before and during the break in service. In addition, you lose credit for any succeeding calendar year before January 1, 1976 in which you received credit for less than 450 hours of service.

### **From January 1, 1976 through December 31, 1984**

For the years 1976 through 1984, a break in service is a calendar year during which you received credit for fewer than 500 hours of service. If you have a number of breaks in service in a row, and this number of breaks is the same as or more than your number of years of vesting service, you will lose credit for all your service before and during the breaks in service.

### **From January 1, 1985 through December 31, 1998**

For the years 1985 through 1998, a break in service is a calendar year during which you receive credit for less than 500 hours of service.

If you have credit for five or fewer years of service, you will lose credit for all your service, including the breaks, if you have at least five years in a row with a break in service in each year.

If you have five or more breaks in service in a row, and this number of breaks is the same as or more than your number of years of vesting service, you will lose credit for all your service before and during the breaks in service.

### **After January 1, 1999**

For 1999 and later years, a break in service is a calendar year during which you receive credit for less than 500 hours of service. If you have credit for less than five years of service and you have five or more breaks in service in a row, you will lose credit for all your service before and during the breaks in service.

### **WHAT TIME CAN BE COUNTED TO PREVENT A BREAK IN SERVICE?**

In addition to time for which you received credit for service, there is other time that can be counted to prevent a break in service. This time includes:

- time when you were receiving vacation pay from your employer.
- time when you were receiving disability payments directly or indirectly from your employer.
- time after January 1, 1985 when you were unable to work because of pregnancy or because you needed to care for your newborn or newly adopted infant up to a maximum of 500 hours.



## HOW MUCH MONEY CAN I RECEIVE AS A PENSION BENEFIT?

You can figure the amount of your monthly benefit by following a few simple steps. You can use this method for figuring the amount of a Normal, Deferred Vested, or Disability Pension. This method also is used to begin to figure the amount of an Early Retirement Pension benefit. If you worked both before and after January 1, 1989, you must complete two steps to figure your benefit.

### Step 1

To figure the amount of your monthly benefit you must first figure the benefit you have earned for service *before* January 1, 1989. To do this, you will need to know the amount that your employer contributed to the Plan (hourly) on December 31, 1988.

- Compare your employer's hourly contribution with the Table of Benefit Amounts to find your benefit amount.
- Multiply your benefit amount by the number of years of benefit service you have earned before January 1, 1989. This is the monthly amount of the benefit you have earned for your service before January 1, 1989.

**TABLE OF BENEFIT AMOUNTS**

EMPLOYER CONTRIBUTION	BENEFIT AMOUNT	EMPLOYER CONTRIBUTION	BENEFIT AMOUNT
Less than .20	\$12.00	.45 - .49	\$30.00
.20 - .24	\$15.00	.50 - .54	\$33.00
.25 - .29	\$18.00	.55 - .59	\$36.00
.30 - .34	\$21.00	.60 - \$1.19	\$39.00
.35 - .39	\$24.00	\$1.20 or more	\$45.00
.40 - .44	\$27.00		

## Step 2

To figure the amount of your full monthly benefit you must next figure the benefit you have earned for service *after* December 31, 1988. To do this, you will need to know the amounts of your employer's hourly contributions for each of the years you worked after 1988.

- Multiply the amount of your employer's hourly contribution for each year by the number of hours you worked in each year. You must repeat this step for each year you worked after December 31, 1988.
- Add these yearly amounts together.
- Multiply the result by .0375 to find the monthly amount of the benefit you have earned for service after 1988.

## Step 3

Add the results of Step 1 and Step 2 together. This is the total amount of your monthly pension benefit.

### Example:

Lloyd is retiring at the end of 2012. His service began in 1983 and he now has credit for 30 years of benefit service.

On December 31, 1988, Lloyd's employer was paying contributions of 30 cents per hour to the Plan. He looks in the Table of Benefit Amounts and finds that \$21.00 is his benefit amount. He then multiplies \$21.00 by the 6 years of benefit service he earned before January 1, 1989. He finds that \$126.00 is his benefit amount for this service.

For the five years 1989 through 1993, Lloyd's employer contributed 30 cents per hour to the Plan. For the nine years 1994 through 2002, Lloyd's employer contributed 35 cents per hour to the Plan. For the ten years 2003 through 2012, Lloyd's employer contributed .40 cents per hour to the Plan. During each of these 24 years, Lloyd worked 1,800 hours. To figure his benefit Lloyd multiplies his employer's contribution by the hours he worked.

For 1989 - 1993,  $.30 \times 1,800 = \$540$   
 $\$540 \times 5 \text{ years} = \$2,700$

For 1994 - 2002,  $.35 \times 1,800 = \$630$   
 $\$630 \times 9 \text{ years} = \$5,670$

For 2003 - 2012,  $.40 \times 1,800 = \$720$   
 $\$720 \times 10 \text{ years} = \$7,200$

Lloyd adds the totals for each of the 24 years together and finds \$15,570 to be the result. By multiplying \$15,570 by .0375, he finds that \$583.88 is the benefit for his service after December 31, 1988. By adding \$126.00 and \$583.88 together, Lloyd finds his total pension benefit of \$709.88 per month.

## **HOW MUCH MONEY CAN I RECEIVE AS AN EARLY RETIREMENT PENSION BENEFIT?**

The amount of your Early Retirement Pension benefit is based on the amount you would have received had you retired on a Normal Pension. However, because you can retire before you reach age 65, the amount you would have received must be reduced.

The amount of this reduction will depend on how old you are when you begin receiving your pension. Your pension will be reduced by five ninths (5/9) of one percent (1%) for each month that your date of retirement is before you attain age 65. The younger you are when you begin receiving your pension the greater the total reduction will be.

## **ARE THERE ANY SPECIAL RULES REGARDING THE PAYMENT OF BENEFITS?**

The following rules apply to the payment of benefits:

- If you stop working for a signatory employer and if your pension benefit does not begin until after you have reached normal retirement age, your payment will be adjusted to provide you with an increased monthly benefit. However, you must begin receiving your pension benefit by April 1, of the year that follows the year in

which you reach age 70 ½. (mandatory retirement).

- Once you begin receiving your pension benefit, your monthly payment will be suspended for any month during which you work in excess of 40 hours for a signatory employer unless you are on mandatory retirement.
- If the present value of your pension benefit is \$5,000 or less, you will receive your pension as a one-time lump sum benefit.

## **UPON MY DEATH, WHAT PENSION BENEFITS CAN MY SPOUSE RECEIVE?**

If you are married for at least one year at the time you retire the Plan will adjust your monthly benefit to provide you with a joint and survivor annuity benefit. If you choose to continue to receive your benefit as a joint and survivor annuity benefit, your spouse will continue to receive a monthly benefit from the Plan after your death. Your spouse will receive this benefit until his or her death.

To cover the costs of this joint pension, the amount of your monthly benefit will be reduced. The amount of this reduction, which is figured by the Plan, takes into account the ages of you and your spouse at the time of your retirement. The amount of your spouse's monthly benefit will be equal to 50% or 75% of the amount of your monthly benefit depending on which option you choose.

You and your spouse may choose not to take advantage of this option by notifying the Plan at the time you retire. If you do so, you will receive your full benefit in the form of a straight-life annuity benefit. For you to receive benefits in the form of a straight-life annuity your spouse must agree in writing, in which case they will not receive a benefit upon your death.

If you die, at a time when you were eligible for a pension, but you had not yet retired or at a time when you were vested for a pension but had not reached retirement age, the Plan will pay your spouse a survivor's pension. The amount of the survivor's benefit will depend on the ages of you and your spouse at the time of your death and the pension benefit that you would have been entitled to.

Depending on the amount of the survivor's benefit, your spouse may have a choice to receive the benefit as a lump-sum at the time of your death or in monthly payments that begin when you would have reached the Plan's earliest retirement age. If monthly payments are chosen your spouse will receive this benefit until his or her death.

## **CAN MY EX-SPOUSE RECEIVE PART OF MY PENSION BENEFITS?**

Federal law allows your ex-spouse to receive part of your pension benefits if he or she obtains a state court order called a Qualified Domestic Relations Order (QDRO). You or your attorney can receive a copy of a sample QDRO by contacting the Plan's Legal Department. When the Plan receives a QDRO the Plan must comply with its terms. The Order will specify the amount of benefits the ex-spouse is entitled to receive and may require you to receive your pension in the form of a Joint and Survivor's annuity benefit.

When a QDRO is received by the Plan it is reviewed by Plan counsel to ensure that the order complies with the Plan's Rules and Regulations. If there is a problem with the validity of the order you, your ex-spouse, and your attorneys will be notified within a short time of any changes that need to be made to the order. Once the executed order is received by the Plan it will be retained with your pension records.

## **HOW DO I APPLY FOR PENSION BENEFITS?**

To apply for pension benefits you must send the Plan a completed application form. You can obtain a pension application form from your local plan representative or by contacting the Plan's main office.

By federal law you *must* begin receiving your pension by April 1, of the year that follows the year in which you reach age 70 ½ (mandatory retirement). Even if you continue to work, you should file an application with the Plan within six months after your seventieth (70th) birthday.

When you file your pension application, you must send the following documents to the Plan:

- A copy of your birth certificate.
- A copy of your spouse's birth certificate.
- A copy of your marriage certificate.
- A letter from your employer that includes your dates of employment and the approximate number of hours you worked each year.
- If you are claiming past service credit, an itemized Type I Statement of Earnings from the Social Security Administration. You can receive this Statement of Earnings by calling 1 (800) 772-1213.

If you are filing for a Disability Pension, you also will need:

- A Social Security Disability Award

and

- A letter from your doctor stating the reason why you are totally and permanently disabled.

You should mail your completed pension application, together with the necessary documents, to:

UIW Pension Plan  
5201 Auth Way  
Camp Springs, Maryland 20746

Your application will be processed within 90 days and you will be informed by the Plan in writing whether you qualify for a pension benefit or not.

## **WHAT IS THE PENSIONER DEATH BENEFIT?**

Upon your death, anyone you have named as a beneficiary can receive a payment from the Plan. The full amount of the pensioner death benefit is \$5,000.

There are some limitations on the payment of this benefit. For example, no death benefit is payable if death is caused by alcohol or drug abuse or other conduct evidencing reckless disregard of personal health or safety.

## **WHO CAN BE MY BENEFICIARY AND HOW MUCH MONEY CAN THEY RECEIVE?**

To name a beneficiary, you must complete a form provided by the Plan. To claim the *full amount* of your death benefit, the beneficiary you have named must be one of the following relationships to the deceased:

Spouse	Mother	Niece or Nephew*	Stepsister
Child	Father	Stepchild	Stepbrother
Grandchild	Stepmother	Sister	Halfsister
Grandparent	Stepfather	Brother	Halfbrother

\*Niece and nephew are defined as the children of the brother or sister of the pensioner.

The full amount of the pensioner death benefit is \$5,000. However, if you name a beneficiary who is not a close relative, they can receive only \$1,000 as a death benefit. If you do not name a beneficiary on a form provided by the Plan, a maximum of \$1,000 will be paid by the Plan.

## **WHAT IS THE FUNERAL EXPENSE DEDUCTION?**

If someone, other than the government or insurance has paid for your funeral, the Plan will pay that person for the funeral expenses. The amount of this payment will be subtracted from the amount of your death benefit.

The amount of funeral expenses that the Plan will pay is limited to \$1,000.

## **HOW DOES MY BENEFICIARY APPLY FOR MY DEATH BENEFIT?**

To receive your death benefit your beneficiary must file an Application for Death Benefits with the Plan. Your beneficiary can obtain an application from the Plan's main office.

They must include with the application an itemized funeral bill, paid or unpaid, and an official Certificate of Death.

If your beneficiary is one described on the previous page, he or she also must provide the Plan with official documents that show proof to substantiate their relationship to you.

Your beneficiary must apply for your death benefit within one year following your date of death.

If your beneficiary is not of legal age, your beneficiary's legal guardian must apply for your death benefit.

## **ARE MY BENEFITS INSURED?**

Your pension benefits under this multi-employer plan are insured by the Pension Benefit Guaranty Corporation (PBGC) which is a federal insurance program. The PBGC provides financial assistance to plans that become insolvent. The maximum benefit that the PBGC guarantees is set by law. You may receive additional information about this

insurance program by contacting:

Office of Communications, PBGC  
2020 K Street, NW  
Washington, DC 20006  
(202) 778-8800

## **WHAT RIGHTS DO I HAVE IF THE PLAN DENIES MY APPLICATION FOR PENSION?**

If your application for benefits is denied, you have the right to appeal the decision to the Plan's Board of Trustees.

If the Plan denies your application a written explanation will be sent to you. If you believe that the Plan should have approved your application, you can request a review by the Trustees. You must make your request in writing and you must send it within 90 days of the date your application was denied. You may include any documents or information that support your position.

Your application will be reviewed by the Trustees. They will look at all documents or information that they receive from you or anyone else. After completing their review, the Trustees will make their final decision.

Any legal action based upon the Plan's denial of benefits must be commenced no later than two (2) years after your appeal is denied by the Plan's Board of Trustees.

Your written appeal should be sent to:

Board of Trustees  
UIW Pension Plan  
5201 Auth Way  
Camp Springs, Maryland 20746



## WHAT LEGAL RIGHTS DO I HAVE?

As a participant in the Plan you have certain rights under the Employee Retirement Income Security Act of 1974. These rights include:

- the right to receive information about the Plan.
- the right to inspect Plan documents at the Plan's office.
- the right to receive copies of Plan documents for a small copying fee.
- the right to receive a listing of signatory employers, as well as the collective bargaining agreements with employers for whom you have worked, when requested in writing.
- the right to receive a summary of the Plan's financial report.
- the right not to be penalized or discriminated against by the Trustees of the Plan when you are applying for benefits.
- the right to hire a lawyer if you believe that your application for benefits was incorrectly turned down, or if you believe that the Trustees of the Plan have not done their job.
- the right to receive a written estimate of your pension benefits as often as once a year by contacting the Plan office in writing.
- the right to have your questions answered by the Plan, and if you are not satisfied, the right to ask the U.S. Department of Labor.

U.S. Department of Labor  
Employee Benefits Security Administration  
Room N5619  
200 Constitution Avenue N.W.  
Washington, D.C. 20210