

WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST
REQUEST FOR EVALUATION OF REEMPLOYMENT

Social Security #: - -	Name: (First) (M.I.) (Last)	Date of Birth:	Retired? ____ YES ____ NO If yes, indicate date:
Address: (Street & Number) (City) (State) (Zip Code)			Phone No.:

INSTRUCTIONS:

This form must be completed in full if you would like a determination from your Area Administrative Office regarding whether the reemployment you are engaged in meets the Plan's definition of Suspendible Employment. You may also use this form to request an advance determination regarding reemployment you are contemplating in the future. Included with this form is a document explaining the Plan's Suspension of Benefit Rules.

To help you understand what the Plan considers to be Suspendible Employment, we have listed below the four crucial questions that must be answered before a determination can be reached. Read each question carefully. You will not forfeit your monthly pension payment unless there is a "Yes" to all four questions.

- **FIRST**, is your work as a retiree in a trade or craft you worked in as a covered employee at some time during your Teamster career?
- **SECOND**, is your covered work as a retiree in an industry covered by the Plan? If your work is non-covered, is your work in an industry you worked in as a covered employee during your Teamster career?
- **THIRD**, is your work as a retiree in the geographic area covered by the Plan?
- **FOURTH**, did the number of hours you worked in a month equal or exceed the applicable hours limits? (See attached notice that explains the hours limits.)

As you can see by the above questions, there is much to be considered in evaluating whether your reemployment qualifies as Suspendible Employment. The questions which follow will help provide your Area Administrative Office with the information they need to make this determination. It is extremely important that you complete all the information requested. Once you have completed the information on this form, you must return it to your Area Administrative Office.

DESCRIPTION OF YOUR EMPLOYMENT BEFORE RETIREMENT

Describe below all the types of work you performed while covered by the *Western Conference of Teamsters Pension Plan* before your retirement. It is extremely important that you complete all the information requested for each employer. If you need additional space, you may include an attachment to this form.

EMPLOYER #1

1. Name of your employer: _____
2. What dates were you employed (from / to): _____
3. What Teamster Local Union were you a member of: _____
4. What was your job title: _____
5. Business activity or industry of this employer: _____
6. Describe the work you performed, including list of skills required: _____

EMPLOYER #2

1. Name of your employer: _____
2. What dates were you employed (from / to): _____
3. What Teamster Local Union were you a member of: _____
4. What was your job title: _____
5. Business activity or industry of this employer: _____
6. Describe the work you performed, including list of skills required: _____

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DESCRIPTION OF YOUR EMPLOYMENT AFTER RETIREMENT

Please complete the information below regarding the work you are performing or intend to perform after retirement. If you have already returned to work, please include with this form a breakdown by month of the hours you worked and the name of your employer.

1. Is your after retirement employment? PROPOSED PRESENTLY WORKING IN
2. Name and address of your employer: _____

(Street & Number) (City) (State) (Zip Code) (Phone No.)
3. Business activity or industry of this employer: _____
(example: freight, construction, warehousing, moving & storage, food processing, brewery, bakery)
4. Is this employment covered under a Teamster labor agreement? NO YES, Local # _____
5. Is this employment in a business you own (example: self employment)? NO YES
6. Indicate date you returned or intend to return to work: _____
7. Approximately how many hours do you expect to work each month: _____
8. Describe the work you are, or intend to perform and the location (state): _____

(City and State)
(example of work: truck driver, warehouseman, bookkeeper, mechanic)
9. Does your current or intended work require you to perform any skills or use experience you acquired from previous work that was covered under the Plan? NO YES Please explain your answer below:

10. What previous skills have you learned that qualify you for your present or intended work?

11. If there is any additional information you feel should be considered in your evaluation, indicate below:

CERTIFICATION STATEMENT

I have provided the above information to the very best of my knowledge. If a determination cannot be made based on the information I have supplied, I understand that a written statement from my employer or union may be required along with verification of my earnings. I further understand that if a review of my employment determines I am working in *Suspendible Employment*, I will not be entitled to my pension until the hours I work in Suspendible Employment during a month are less than applicable hours limits.

PARTICIPANT SIGNATURE

DATE

PLEASE RETURN THIS FORM TO: **THE WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST** in care of your Area Administrative Office:

NORTHWEST / ROCKY MT. AREA

2323 Eastlake Ave. East
Seattle, Washington 98102-3305

(206) 329-4900
(800) 531-1489

SOUTHWEST AREA

1000 South Fremont Ave, Suite 9101W
Alhambra, California 91803-8839

(626) 284-4792
(800) 845-0571

NORTHERN CALIFORNIA AREA

355 Gellert Blvd., Suite 100
Daly City, CA 94015-2666

(650) 570-7300
(800) 845-4162



Western Conference of Teamsters Pension Trust

An Employer-Employee Jointly Administered Pension Plan – Founded 1955

THE PLAN'S BENEFIT SUSPENSION RULES

Effective January 1, 2003

YOUR RESPONSIBILITY AS AN AGE PENSIONER

If you are an age pensioner under age 65, you are required to comply with the employment reporting and verification requirements of the Plan. These requirements state that annually you must verify in writing whether you were employed during the previous year. In addition, you are required to promptly notify your Area Administrative Office any time you return to work in Suspendible Employment. This notification must provide enough information for the Trustees to determine whether your work falls within the definition of Suspendible Employment.

WHAT ARE THE PLAN'S REQUIREMENTS FOR REEMPLOYED PENSIONERS

The rules of the *Western Conference of Teamsters Pension Plan* state your Age Retirement Benefit payments must be suspended if you return to work in Suspendible Employment before age 65. **Under these rules you forfeit the right to receive your Age Retirement Benefit for any month you work in Suspendible Employment and the hours you work equal or exceed the applicable hours limit.** An hour of Suspendible Employment during a calendar month includes each hour of Suspendible Employment for which you are compensated, whether or not you perform any work during that hour. The hours limit depends on your age at the time you return to work. The hours limits are:

- If your reemployment occurs in a month that begins **prior to or includes your 60th birthday**, you will forfeit your monthly benefit if you work **50** or more hours of Suspendible Employment in that month.
- If your reemployment occurs anywhere between the month following **your 60th birthday and the month ending with your 65th birthday**, you will forfeit your monthly benefit if you work **85** or more hours of Suspendible Employment in a month.
- If your reemployment begins in a month **after your 65th birthday**, you can work any number of hours and your benefits will not be suspended.

Special Note: *The rules above apply to your work in January 2003 and later. If your Pension Effective Date was in 2002 or earlier and your reemployment is prior to 2003, contact your Area Administrative Office for the rules that apply.*

WHAT IS SUSPENDIBLE EMPLOYMENT

An hour of Suspendible Employment during a calendar month includes each hour of Suspendible Employment for which you are compensated, whether or not you perform any work during that hour. Once you reach age 65, the Plan does not limit how much you can work after retirement. Your Plan defines two kinds of Suspendible Employment:

- **Covered Employment**
- **Non-covered Employment**

The following is an explanation as to the difference between Covered Employment and Non-covered Employment.

Covered Employment

Definition: *Covered employment is work that you perform for an employer who is obligated to make contributions to the Trust Fund on your behalf under a Pension Agreement with a Teamster Local Union.*

Your **Covered Employment** is Suspendible Employment if it meets all of the following conditions. The work must be in:

- A **trade** or **craft** in which you worked at any time while covered by the Plan before your retirement, **and**
- Any **industry** covered by the Plan when your retirement benefits begin (even if you never worked in that industry before retirement), **and**
- Any **geographic area** covered by the Plan when your retirement benefits begin (even if you worked in a different location before retirement).

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Non-covered Employment

Definition: Non-covered employment is work you perform that is not covered under a Pension Agreement with a Teamster Local Union.

Your **Non-covered Employment** (including self-employment) is Suspendible Employment if it meets all of the following conditions. The work must be in:

- A **trade or craft** in which you worked at any time while covered by the Plan before your retirement, **and**
- An **industry** in which you worked at any time while covered by the Plan before your retirement, **and**
- Any **geographic area** covered by the Plan when your retirement benefits begin (even if you worked in a different location before retirement).

The terms **Trade or Craft**, **Industry** and **Area** are used when defining Suspendible Employment. It is important that you become familiar with each of these terms.

<u>Trade or Craft</u>	<u>Industry</u>	<u>Area</u>
You are considered to be working in the same trade or craft if you are using the same skills in your reemployment as you used when you were a Covered Employee. You also are considered to be working in the same trade or craft if you are supervising personnel who use skills that you used as a Covered Employee before your Pension Effective Date.	If you are working in Covered Employment, this is work in a business activity some Covered Employees worked in before your Pension Effective Date. If you are working in Non-covered Employment, the work must be in a business activity <i>you</i> worked in as a Covered Employee before your Pension Effective Date.	This means your work as a retiree is performed within the 13 Western States (includes Alaska and Hawaii) which are covered by the Plan.

If the Trust is unable to determine the actual hours of Suspendible Employment you completed during a calendar month, the Trust will presume the hours you worked equaled or exceeded the applicable hours limit of Suspendible Employment on each of 8 or more days in that month or any 4 week or 5 week payroll period ending within that month.

If you **fail to notify your Area Administrative Office** and they become aware of your reemployment, then they will proceed to apply the benefit suspension rules and presume the hours you worked equaled or exceeded the applicable hours limit of Suspendible Employment during the month. If your benefits are suspended, you can appeal the determination by providing satisfactory evidence that you either completed less than the applicable hours limit in a month, or that your employment was not Suspendible Employment.

The provisions of the Plan explaining your responsibilities as an age pensioner are printed for your reference on the attached document. Also, the United States Department of Labor has issued regulations covering benefit suspension. These regulations may be found in Section 2530-203.3 of Title 29 of the Code of Federal Regulations.

WHO TO CONTACT IF YOU HAVE QUESTIONS

If you have any questions regarding the Plan's benefit suspension rules, you should contact your Area Administrative Office. Even if you are only considering work after retirement but would like to know in advance if that work qualifies as Suspendible Employment, your Area Administrative Office can provide you with an advance determination.

AREA ADMINISTRATIVE OFFICES

NORTHWEST / ROCKY MT. AREA

2323 Eastlake Ave. East
Seattle, Washington 98102-3305

(206) 329-4900
(800) 531-1489

SOUTHWEST AREA

1000 South Fremont Ave, Suite 9101W
Alhambra, California 91803-8839

(626) 284-4792
(800) 845-0571

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Daly City, CA 94015-2666

(650) 570-7300
(800) 845-4162

SUSPENSION OF BENEFITS OF REEMPLOYED PENSIONERS
Western Conference of Teamsters Pension Plan as constituted January 2003 - Appendix C

(This is only a partial extract of the Plan's Suspension of Benefits rules.
The complete Suspension of Benefits rules can be found in the Plan document.)

C. 5 Employment Reporting and Verification Requirements

Each Age Pensioner who is under age 65 must promptly notify the Trustees in writing any time he returns to work in any capacity. If his Pension Effective Date precedes May 1, 1994, he need only notify the Trustees any time he returns to work for a Covered Employer in any capacity. The notice must provide enough information for the Trustees to determine whether that work has caused or will cause the Pensioner to forfeit his right to any Retirement Benefit payments.

At least annually, each Age Pensioner whose Pension Effective Date is after April 1, 1994, as a condition to receiving future Retirement Benefit payments, must certify in writing that he is unemployed and has been continuously unemployed since the date of his last certification to the Trustees (or his Pension Effective Date, if later) or must provide enough factual information for the Trustees to determine whether any work he may have engaged in during the reporting period qualifies as Suspendible Employment, and if so, the number of Hours of Suspendible Employment he completed during each month during the reporting period. This certification requirement does not apply to any month that begins on or after the Age Pensioner's 65th birthday.

The Trustees may request from any Pensioner covered by this Appendix access to reasonable information for the purpose of verifying his employment or self-employment status, or the nature and extent of his employment, if any, including without limitation, written authorization to obtain from the Federal Social Security System a statement of the Pensioner's Social Security earnings (including earnings from self-employment) since his Pension Effective Date.

If a Pensioner fails to provide the requested information, access to information or certification, the Trustees may suspend payment of his Retirement Benefits until he does.

At least annually, the Trustees will send each Pensioner covered by this Appendix a written description of the Trust Fund's employment reporting and verification requirements, and the nature and effect of the presumption described in Appendix C.7 below.

C.6 Suspendible Employment

Suspendible Employment is work either as an Employee or as a self-employed person that meets all of the following conditions:

- It is in any Industry covered by the Plan, in the case of work that is Covered Employment.
- It is in any Industry in which the Pensioner was employed at any time as a Covered Employee, in the case of work that is not Covered Employment.
- It is in a trade or craft in which the Pensioner was employed at any time as a Covered Employee.
- It is in the geographic area covered by the Plan.
- If the work is performed during a month that begins on or after the Pensioner's Normal Retirement Date, it must be Covered Employment.

The term "work" includes paid time off from work.

The term "Industry" includes any business activity of a type in which Employees were employed in Covered Employment on the Pensioner's Pension Effective Date.

The geographic area covered by the Plan consists of every state in which Employees engage in Covered Employment (other than on isolated projects performed in states where Covered Employees are not otherwise employed) and the remainder of any Standard Metropolitan Statistical Area which falls in part within such state, determined as of the Pensioner's Pension Effective Date.

A "trade or craft" is (A) a skill or skills, learned during a significant period of training or practice, which is applicable in some occupations in some industry, (B) a skill or skills relating to selling, retailing, managerial, clerical or professional occupations, or (C) supervisory activities relating to a skill or skills described in (A) or (B).

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If a Plan Member is performing work for any Employer during the month of May 1994 that is not then Covered Employment, any work that Plan Member thereafter performs for that Employer will not be considered Suspendible Employment. This special rule will cease to apply from the end of the first month after April 30, 1994 in which the Plan Member completes more than the permissible number of Hours of Suspendible Employment for any other Employer, or if that month is before the Plan Member's Pension Effective Date, more than the permissible number of Hours of either Suspendible Employment or Covered Employment for any other employer. If an Age Pensioner's Pension Effective Date precedes May 1, 1994, any work he performs after April 30, 1994 that is not Covered Employment will not be considered Suspendible Employment.

If an Age Pensioner performs work for an Employer that is not Covered Employment and is not in an Industry in which he was employed at any time as a Covered Employee before his Pension Effective Date, any Covered Employment he thereafter performs for the same Employer will not be considered Suspendible Employment. This special rule will cease to apply from the end of the first month in which the Pensioner completes more than the permissible number of hours of Suspendible Employment for any other Employer. This rule does not apply to any Covered Employment before January 1, 2001.

C.7 Hours of Suspendible Employment

A Pensioner's Hours of Suspendible Employment during a calendar month include each hour of Suspendible Employment for which the Pensioner is compensated, whether or not the Pensioner performs any work during that hour.

If the Pensioner's Suspendible Employment is Covered Employment, the number of Hours of Suspendible Employment he is charged with will be the number of Hours of Suspendible Employment he completes during the calendar month. However, if his Covered Employer uses a four week/five week payroll period to report Covered Hours to the Trust Fund, the number of Hours of Suspendible Employment he is charged with will be the number of Hours of Suspendible Employment he completes during the four week or five week payroll period ending within the calendar month.

If the Pensioner's Suspendible Employment is not Covered Employment and the Trustees are unable to determine the actual number of Hours of Suspendible Employment he completed during a calendar month and the presumption described in the following paragraph does not apply for any reason, the Pensioner will be charged with having completed more than the permissible number of Hours of Suspendible Employment during the month if he receives payment for any Suspendible Employment performed on each of 8 or more days (or separate work shifts) in that month or any 4-week or 5-week payroll period ending within that month.

Whenever the Trustees become aware that a Pensioner has or is engaged in Suspendible Employment during any month and the Pensioner has not fully complied with the employment reporting and verification requirements established by the Trustees from time to time regarding Suspendible Employment, the Trustees will presume that the Pensioner worked more than the permissible number of Hours of Suspendible Employment during that month.

Similarly, whenever the Trustees become aware that a Pensioner has or is engaged in Suspendible Employment at a construction site during any month and the Pensioner has not fully complied with the employment reporting and verification requirements established by the Trustees from time to time regarding Suspendible Employment, the Trustees will presume that the Pensioner engaged in Suspendible Employment for the same employer in work at that site for so long before the work in question as that same employer performed that work at that construction site.

Each of the presumptions is rebuttable upon a showing by the Pensioner from a preponderance of the evidence either that his employment during each month in question did not qualify as Suspendible Employment or that he completed no more the permissible number of Hours of Suspendible Employment during that month. The Trustees will not apply either presumption in any case where it would be unreasonable under the circumstances to do so.

Special Note: The rules above apply to your work in January 2003 and later. If your Pension Effective Date was in 2002 or earlier and your reemployment is prior to 2003, contact your Area Administrative Office for the rules that apply.