

# WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST

## REQUEST FOR EVALUATION OF REEMPLOYMENT

Social Security Number:	Name: (First) (M.I.) (Last)	Date of Birth:	Retired?
Address: (Street & Number)	(City)	(State)	(Zip Code)
Phone Number:	Email Address:		<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate date:

**INSTRUCTIONS:**

This form must be completed in full if you would like a determination from your 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.

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 were compensated in a month equal or exceed the applicable hours limits (See attached Plan's Benefit Suspension Rules)?

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 you provide your 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 Administrative Office.

For more information regarding the Plan's benefit suspension rules, please visit the Trust website at [www.wctpension.org](http://www.wctpension.org).

### 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.

**COVERED EMPLOYER #1**

1. Name of your employer: \_\_\_\_\_
2. Dates you were employed (from/to): \_\_\_\_\_
3. What was your job title: \_\_\_\_\_
4. Business activity or industry of this employer: \_\_\_\_\_
5. What type of equipment/vehicles does this company utilize: \_\_\_\_\_
6. Describe the work you performed, including a list of skills required and equipment/vehicles used:  
 \_\_\_\_\_  
 \_\_\_\_\_

**COVERED EMPLOYER #2**

1. Name of your employer: \_\_\_\_\_
2. Dates you were employed (from/to): \_\_\_\_\_
3. What was your job title: \_\_\_\_\_
4. Business activity or industry of this employer: \_\_\_\_\_
5. What type of equipment/vehicles does this company utilize: \_\_\_\_\_
6. Describe the work you performed, including a list of skills required and equipment/vehicles used:  
 \_\_\_\_\_  
 \_\_\_\_\_

Continued on reverse side

### 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 employment after retirement:       **PROPOSED**       **PRESENTLY WORKING IN**
2. Employer name and location of work performed: \_\_\_\_\_  
\_\_\_\_\_  
(Street & Number)                      (City)                                      (State)                                      (Zip Code)                                      (Phone Number)
3. Indicate the date you returned or intend to return to work: \_\_\_\_\_
4. Approximately how many hours do you expect to work each month: \_\_\_\_\_
5. Is this employment covered under a Teamster labor agreement?       **YES**      Local No.: \_\_\_\_\_       **NO**
6. Is this employment in a business you own (*Example: self-employment/owner-operator*)?       **YES**       **NO**
7. Business activity or industry of this employer: \_\_\_\_\_  
*(Example: Freight, Construction, Warehousing, Food Processing, Bakery)*
8. If a temporary or staffing agency, list the company you were dispatched to: \_\_\_\_\_
9. What type of equipment/vehicles does this company utilize: \_\_\_\_\_  
*(Example: dump truck, flatbed, mixer, tanker truck)*
10. What is, or will be, your job title: \_\_\_\_\_
11. Describe the work you perform, or intend to perform, and the geographic location (state):  
\_\_\_\_\_  
\_\_\_\_\_  
*(Example of work: truck driver, warehouseman, bookkeeper, mechanic)*
12. Does your current or intended work require you to perform any skills or use experience you utilized during previous work that was covered under the Plan?       **NO**       **YES**      Please explain your answer below:  
\_\_\_\_\_  
\_\_\_\_\_
13. What previous skills have you learned that qualified you for your present or intended work?  
\_\_\_\_\_  
\_\_\_\_\_
14. 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

ADMINISTRATIVE OFFICES

#### NORTHWEST / ROCKY MT. AREA

2323 Eastlake Ave. East  
Seattle, WA 98102-3393  
(206) 329-4900  
(800) 531-1489

#### SOUTHWEST AREA

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Pasadena, CA 91101-3000  
(626) 463-6100  
(800) 531-1489

#### NORTHERN CALIFORNIA AREA

1000 Marina Blvd., Suite 400  
Brisbane, CA 94005-1841  
(650) 570-7300  
(800) 531-1489



# 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, and amended for hours worked after 2019

### 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 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. You may or may not be considering retirement at this time. Even if you are not, it is extremely important that you understand the Plan's rules regarding reemployment. These rules could affect your decision as to when you decide to retire and what type of work you might select after you retire.

### 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, beginning in January 2020, you may work in Suspendible Employment for as many hours as you wish during any three (3) calendar months in each calendar year without forfeiting any portion of your benefit. The three months need not be consecutive. You will forfeit the right to receive your Age Retirement Benefit for the fourth and any subsequent month of each calendar year in which you work in Suspendible Employment and the hours you work (or are paid for) equal or exceed the applicable hours limit (i.e., after exceeding the limit for three months in the same calendar year).** 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 **60** 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.

***It is very important that you monitor the number of hours and months that you work (or for which you are paid) in Suspendible Employment in order to avoid forfeiting your monthly benefit.***

***Special Note: The rules above apply to your work in January 2003 and later and were amended for hours worked after 2019. If your Pension Effective Date was in 2002 or earlier or your reemployment is prior to 2020, contact your 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. Beginning with the month following your 65th birthday, 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 of 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).

## 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**
- Any **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 (including Alaska and Hawaii) and any other state where covered employees are working when you retire.

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 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 pages 3 and 4. 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 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 Administrative office can provide you with an advance determination. Also, if your Non-covered Employment is Suspendible Employment, a portion of your benefit may be protected from suspension under the Plan's Benefit Suspension Rules. You can find more information about Working After You Retire on the Trust website at [www.wctpension.org/retirees](http://www.wctpension.org/retirees)

### Administrative Offices

#### NORTHWEST / ROCKY MT. AREA

2323 Eastlake Ave. East  
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## **SUSPENSION OF BENEFITS OF REEMPLOYED AGE PENSIONERS**

### ***Western Conference of Teamsters Pension Plan as constituted July 12, 2005 – 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 Pensioner must promptly notify the Trustees in writing any time he returns to work in any capacity before his 65th birthday. If his Pension Effective Date precedes January 1, 1995, and he has not qualified for a Pension Increase after that date, 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 Pensioner whose Pension Effective Date is after December 31, 1994 or who qualifies for a Pension Increase after that date, 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 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 the Suspendible Portion of his Retirement Benefits until he does. For this purpose, the Suspendible Portion for any month shall be determined on the assumption that the Pensioner is engaged in Suspendible Employment that is not Covered Employment unless the Trustees have reason to believe that the Pensioner is engaged in Covered Employment during that month.

At least annually, the Trustees will send each Pensioner who has not attained age 65 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.

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).

If a Plan Member was performing work for any Employer during the month of May 1994 that was 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 a 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 as long before the work in question as that same employer performed that work at that construction site.

Each of the foregoing 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 than 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 and were amended for hours worked after 2019. If your Pension Effective Date was in 2002 or earlier or your reemployment is prior to 2020, contact your Administrative Office for the rules that apply.***