

EXAMPLES OF SUSPENSION OF BENEFIT RULES

The Examples of Suspension of Benefit Rules appear in the Southern California IBEW-NECA Pension Plan Summary Plan Description (as restated July 1, 2010).

The following examples help illustrate the Suspension of Benefit rules for Participants who have not reached their Normal Retirement Age:

- Example 1: Bill is receiving his pension benefit and decides to go back to work as a Sales Associate for Home Depot. Bill's employment with Home Depot is considered Suspendible Employment because Home Depot conducts electrical clinics for the public. These clinics are considered as retail based instruction and so his employment is considered Suspendible Employment requiring a suspension of all pension benefits earned for employment after March 23, 2000. It is also considered Non-Covered Electrical Employment requiring a suspension of all pension benefits earned for employment after March 1, 2005 until Bill reaches age 65. Bill can continue to work for Home Depot but will only receive that portion of his benefit which is not suspended. (Refer to Article 9.7(b)(2)(xiii) of the Pension Plan document.)
- Example 2: Bill is retired and decides to work for a General Contractor inspecting the electrical work of electrical sub-contractors for purposes of quality control. He is not enforcing the electrical codes, regulations or ordinances. His job is to determine whether the work is done to bid and contract specifications. Bill's employment is considered Suspendible Employment requiring a suspension of his pension benefit earned for employment after August 1, 2003. He can continue working for the General Contractor and receive that portion of his benefit which was not suspended. (Refer to Article 9.7(b)(2)(xv) of the Pension Plan document.)
- Example 3: Bill is retired and decides to work for a different General Contractor performing the same job responsibilities as in Example 2 above. However, the General Contractor who employs Bill also employs individuals who perform electrical work. Because the employees of this Employer perform the same work as employees of IBEW signatory contractors, Bill's employment is also Non-Covered Electrical Employment requiring a suspension of all pension benefits earned for employment after October 1, 1987 until he reaches age 65. He can continue working for this Employer and receive that portion of his benefit that was not suspended. (Refer to Article 9.7(b)(2)(xv) of the Pension Plan document.)

- Example 4: Bill has retired and is working for the City of Los Angeles as an Electrical Inspector. Since he is working for a public entity enforcing codes and regulations, he can continue working for the City of Los Angeles and receive his full pension benefit at the same time. (Refer to Article 9.7(b)(2)(xv) of the Pension Plan document.)
- Example 5: Bill has retired and is receiving his pension benefits. He decides to take a temporary position with the Los Angeles Department of Water and Power (DWP) as an electrical mechanic. Bill is working in Suspendible Employment. He can continue working in this capacity; however, all of his pension benefits earned for employment after March 1, 1991 will be suspended. If Bill was working in the same capacity as a permanent Civil Service employee for the DWP only his pension benefits earned after August 1, 2003 would be suspended. (Refer to Article 9.7(b)(2)(ix) of the Pension Plan document.)
- Example 6: Bill is retired and registers with a Temporary Agency which places individuals with Employers who perform electrical work. Even though Bill never is placed with any employers, by signing with the Temporary Agency he has attempted to find work in the electrical construction contracting industry. Even though he was not working, his pension benefits will be suspended for any month he was registered with this Agency. The amount of his pension suspended will be the amount he earned for employment after July 1, 1986. However, if he is placed with an employer that performs electrical work, the employment is Non-Covered Electrical Employment requiring a suspension of all pension benefits earned for employment after October 1, 1987 until he reaches age 65. If the work he is performing constitutes electrical work the totality of his pension benefits is subject to a suspension during the months when any work is actually performed. (Refer to Article 9.7(b)(2)(v) of the Pension Plan document.)
- Example 7: Bill has retired and after a month decides to go back to work with a contributing employer as an off-site Project Manager. The pension benefit he earned for employment after August 1, 2003 will be suspended. He can continue to work and receive that portion of his benefit that was not suspended. (Refer to Article 9.7(b)(2)(vi) of the Pension Plan document.)
- Example 8: Bill has retired and after a month decides to go back to work for a non-signatory electrical contractor as a Project Manager. All of Bill's benefits will be suspended as long as he continues to be employed because he is working for a contractor who is not signatory to an IBEW collective bargaining agreement. This work is Non-Covered Electrical Employment resulting in a suspension of pension benefits accrued on or after October 1, 1987 for each and every month until age 65. (Refer to Article 9.7(b)(2)(vi) of the Pension Plan document.)