



# Carpenters Southwest Administrative Corporation

533 South Fremont Avenue • Los Angeles, California 90071-1706 • Tel: 213-386-8590 • Toll Free: 800-293-1370

[www.carpenterssw.org](http://www.carpenterssw.org)

**To: All Participants of the Southwest Carpenters Pension Plan – Amendment to the Summary Plan Description (SPD)**

## Important Participant Notice

April 2019

This Participant Notice will advise you of certain material modifications that will be made to the Southwest Carpenters Pension Plan Summary Plan Description. **This information is VERY IMPORTANT to you.** Please take time to read it carefully.

***Aviso a los participantes que hablan Español:*** Si tiene alguna pregunta sobre este aviso o requiere más información, por favor comuníquese con la Oficina Administrativa del Fideicomiso de los Carpinteros del Sudoeste al (213) 386-8590 o (800) 293-1370, donde habrá varios representantes bilingües que le ayudarán.

### Plan Changes

**Pension Plan Amendment No. 9** added the following exceptions to the rules on suspension of benefits:

**Effective October 1, 2018** the definition of Prohibited Employment is revised to allow retirees to work up to 100 hours per month as an apprenticeship instructor for the Southwest Carpenters Training Fund.

**Effective April 1, 2019**, the definition of Prohibited Employment is revised to allow a Retired Employee to work as a Training Supervisor subject to the following conditions:

- (A) The Retired Employee is employed by a contributing Employer to mentor Employees seeking to advance to project management for the Employer,
- (B) The Retired Employee applies for and receives advance approval from the Board of Trustees or its delegate to perform such work, and re-applies before the start of any work in a subsequent calendar year of such employment,
- (C) The contributing Employer has a shortage of experienced mentors for their Employees, establishes such shortage with the Board of Trustees or its delegate, and re-establishes such shortage before the start of any work in a subsequent calendar year, and
- (D) The Retired Employee works in such capacity for no more than 40 hours in any calendar month.

If you have any questions concerning this announcement, please direct them to the Administrative Office at 213-386-8590 or 800-293-1370. You may also visit the Trust's website at [www.carpenterssw.org](http://www.carpenterssw.org).

Sincerely,

**THE BOARD OF TRUSTEES**

*Receipt of this notice does not constitute a determination of your eligibility. If you wish to verify eligibility, or if you have any questions regarding this Plan change, please contact the Administrative Office. In accordance with ERISA reporting requirements, this document serves as your Summary of Material Modifications to the Plan and we are advising you of these Plan changes within 60 days of the adoption of those changes.*



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## **PARTICIPANT NOTICE ABOUT IMPORTANT PLAN CHANGES**

### **October 2020**

#### **To: All Active and Retired Participants in the Southwest Carpenters Pension Plan**

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This Participant Notice will advise you of certain material modifications that have been made to the Pension Plan that are effective for the period October 1, 2020 through December 2021. These changes are the result of a temporary need by contributing employers to fill management positions with current pensioners having the skills of the carpentry trade.

The Southwest Carpenters Pension Trust Board of Trustees has adopted a waiver of the suspension of benefits rules for Retired Employees that go to work for a contributing Employer under certain conditions. You are eligible for this waiver of suspension if **all** of the following conditions are met:

- You are retired and receiving a Normal, Vested, Regular or Service Pension from the Southwest Carpenters Pension Trust. No Early or Disability pensioners will qualify.
- You are hired by an Employer that is signatory to a collective bargaining agreement that requires payment of contributions to the Southwest Carpenters Pension Trust on behalf of its employees in the bargaining unit who perform Covered Employment.
- The Employer that hires you must have been approved in writing to offer employment to Retired Employees under conditions specified by the Board of Trustees of the Southwest Carpenters Pension Trust.
- You do not perform services for the Employer that involves any type of Covered Employment that would require payment of contributions to the Southwest Carpenters Pension Trust.
- Before you commence such employment, you must submit a written application with the Administrative Office of the Pension Plan to work without suspension of your pension and agree in writing to comply with all terms specified in the agreement.

- If you perform Covered Employment after retirement, you will not qualify for a waiver of the suspension of benefits rules and you must pay back any pension benefits received during the period of such employment.
- Your approval to work without suspension of your pension must be reconfirmed during January of each subsequent calendar year otherwise such approval shall terminate effective the following February 1st.
- Unless renewed by the Board of Trustees, this program shall sunset as of December 31, 2021. This program is not intended to provide a permanent waiver of the suspension of benefits rules and shall not be part of any accrued benefit provided through the Southwest Carpenters Pension Trust.

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If you have any questions concerning the information in this announcement, please direct them to the Administrative Office at 213-386-8590 or 800-293-1370, where the staff will be happy to assist you. You may also visit the Trust's website at [www.carpenterssw.org](http://www.carpenterssw.org).

Sincerely,

THE BOARD OF TRUSTEES

***Aviso a los participantes que hablan Español:*** Si tiene alguna pregunta sobre este aviso, o requiere alguna otra información sobre su jubilación, por favor comuníquese con la oficina administrativa al (213) 386-8590 o (800) 293-1370, donde habrá varios representantes bilingües que le pueden asistir.

*In accordance with ERISA reporting requirements, this document serves as your Summary of Material Modifications to the Plan and we are advising you of these Plan changes within 60 days of the adoption of those changes.*



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**SUMMARY OF MATERIAL MODIFICATIONS**  
**IMPORTANT NOTICE**  
**MARCH 2021**

**To: PARTICIPANTS IN THE SOUTHWEST CARPENTERS PENSION PLAN**

**Re: EXTENSION OF DEADLINES DUE TO COVID-19 PANDEMIC**

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Pursuant to federal law, certain employee benefit plan deadlines have been suspended from March 1, 2020 until sixty (60) days after the announced end of the COVID-19 National Emergency (referred to as the “Outbreak Period”). However, other laws limit this suspension to a period of no more than 1 year from the date your individual action would otherwise have been required or permitted.

The suspension of deadlines during the Outbreak Period is limited to a maximum of one year from the deadline that normally would have applied or, if earlier, until 60 days after the announced end of the National Emergency (defined in this notice as the “Suspension Period”). Following the end of the Suspension Period, participants will be permitted the number of days defined by the Plan to take action with respect to the following deadlines:

- The 12-month deadline to apply for pension credit for a period of disability retroactive to the start of the disability. (SPD p. 16)
- The 90-day deadline to provide missing information to support a claim for benefits in order to avoid denial of the claim. (SPD pgs. 80-81)
- The 15-day deadline for a retired Employee to give notice of a return to work in Prohibited Employment to avoid an additional 12 months of suspension. (SPD p. 47)
- The 60-day deadline to appeal a suspension of benefits. (SPD p. 47)
- The deadline for a pensioner who is younger than Normal Retirement Age to complete and return the Annual Pension Verification for 2020 will be postponed until after the end of the Outbreak Period. (SPD p. 46)
- The 60-day deadline to file an appeal following receipt of an adverse determination of a claim. (SPD p. 81)

Recently the COVID-19 National Emergency was extended beyond March 1, 2021. Solely for the purpose of illustrating the one-year limitation on Suspension Periods, the following examples *hypothetically* assume that the National Emergency will end on September 1, 2021, which means that the Outbreak Period would end on October 31, 2021 (the 60th day following the end of the National Emergency).

*Example 1: A participant claiming benefits has 60 days following receipt of an adverse benefit determination within which to file an appeal. If the adverse benefit determination was received on March 1, 2020, the original deadline to file an appeal was April 30, 2020. Under the suspension rules the Suspension Period will end on the earlier of one year after the original deadline (i.e., April 30, 2021) or 60 days after the end of the Outbreak Period (i.e., December 30, 2021). Because of the one-year limitation on the suspension, the deadline to file an appeal will be April 30, 2021.*

*Example 2: If a participant receives a notice of denial of benefits on January 1, 2021, the 60-day deadline to file an appeal that would otherwise be due by March 2, 2021 is extended until 60 days after the end of the National Emergency. If the National Emergency ends on September 1, 2021, the Outbreak Period will end on October 31, 2021, and the Suspension Period for filing an appeal with the Administrative Office will end on December 30, 2021 (60 days after the end of the Outbreak Period). Note if the National Emergency Period extends beyond our hypothetical deadline of September 1, 2021, the maximum Suspension Period must end by March 2, 2022, one year after the original due date.*

*Example 3: Pension Credits may be granted for a period of Temporary Disability which commences no more than 90 days after a Participant last worked in Covered Employment. If the Participant provides notice of the Temporary Disability to the Administrative Office within 12 months of the start of the period of Temporary Disability, the Participant will be credited with Pension Credit retroactive to the start of the Temporary Disability at the rate of 40 hours per week up to a maximum of 1,200 hours per calendar year. If the notice of Temporary Disability is filed more than 12 months of the start of the Temporary Disability, then Pension Credit is given only for the 12 months that precede the date that notice is given.*

*If a period of Temporary Disability started on January 1, 2020, the 12-month period to file a claim for Pension Credit retroactive to January 1, 2020 normally would end on December 31, 2020. However, under the suspension rules the Suspension Period for filing the notice of Temporary Disability will end on the earlier of one year after the December 31, 2020 deadline or 60 days after the end of the National Emergency. If the National Emergency ends on September 1, 2021, the Outbreak Period will end on October 31, 2021 (the 60<sup>th</sup> day following the end of the National Emergency). In this case, the Suspension Period to file a claim for Pension Credit retroactive to the start of period of Temporary Disability would end on October 31, 2021. Note if the National Emergency extends beyond our hypothetical deadline of September 1, 2021, the maximum Suspension Period must end by December 31, 2021, one year after the original due date.*

The Trust Fund will send an updated notice about the end of your Suspension Periods once the end date for the COVID-19 National Emergency is known. Should you have any questions regarding the above changes or need assistance in determining a due date, please contact the Trust Fund Office at (213) 386-8590 or (800) 293-1370.

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