

Engineers-AGC Retirement Trust of the Inland Empire

Physical Address 7525 SE 24th Street, Suite 200, Mercer Island, WA 98040 • Mailing Address PO Box 34203, Seattle, WA 98124
Phone (206) 441-7574 or (800) 351-6480 • Fax (206) 505-9727

Administered by
Welfare & Pension Administration Service, Inc.

APPLICATION FOR NORMAL OR EARLY RETIREMENT BENEFITS

1. Please read each question carefully.
2. Print or type all information.
3. Be sure to answer all applicable questions to avoid delay in processing your application.
4. Attach additional sheets if you need more space to answer any questions.
5. BE SURE TO SIGN AND DATE THIS APPLICATION.
6. Mail the completed application and proof of age and marriage, if applicable, to the above address.

1. Name: _____
Last First Middle

2. Previous Name: (If any) _____ Date of Name Change: _____

3. Social Security #: _____ Phone #: (____) _____ E-Mail Address _____

4. Mailing Address: _____
Street number City State Zip

5. Local Union #: _____ Male Female Birthdate: _____

6. Marital Status: Married Separated Divorced Widowed Single

Were you ever divorced? YES NO Date of Separation or Divorce*: _____

*If your marriage was dissolved after December 31, 1984, your election of benefits may be subject to the rights of a prior spouse and you are required to attach a complete FILED copy of your dissolution decree and property settlement agreement and/or Qualified Domestic Relations Order(s). The copies must show the document was FILED with the court and signed by the judge.

If currently married, please enter spouse's information:

7. Spouse's Name: _____
Last First Middle

8. Spouse's Social Security #: _____ Spouse's Birthdate: _____

I hereby revoke all former pension beneficiary designations, if any, and name the following person as my beneficiary for monthly pension benefits and, if I am eligible, the burial benefit provided for in the Plan.

If not married, Name of Beneficiary:

9. Beneficiary Name: _____ Birthdate: _____

10. Social Security #: _____ Sex: Male Female Relationship: _____

11. Beneficiary Address: _____
Street number City State Zip

12. In accordance with the terms of the Idaho Operating Engineers and Employers Pension Trust Fund I hereby apply for:

Normal Retirement Benefit
(Age 62 or Older)

Early Retirement Benefit
(Age 55 – 62) (Benefits are reduced for Early Retirement under age 61)

If you are applying for Disability Benefits you must use a Disability Retirement application form

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All sections must be completed.

Engineers-AGC Retirement Trust of the Inland Empire

13. Name of Current or Most Recent Employer: _____

14. The last day I worked was or will be on: _____
Month Day Year

15. I hereby request that my retirement be effective on the first day of _____
Month Year

16. If determined to be eligible, I am interested in enrolling in the Trust's Retiree Medical Plan. I understand a monthly premium must be paid. YES NO

PLEASE READ CAREFULLY

I understand and agree that it is my responsibility to submit any and all information needed to establish my eligibility for retirement under this Trust and that this application can be canceled by written request submitted to the Trust Office prior to its Effective Date. I certify that the information on this form is true and accurate to the best of my knowledge.

I understand the conditions of my retirement are governed by the Plan rules and regulations.

I understand that in the case of an overpayment of my pension benefits, the Trustees are entitled to recover any amounts overpaid to me.

If no information appears under the Spouse's Section above, I certify that I am not married.

Applicant's Signature

Date

AGE VERIFICATION

IMPORTANT: A copy of your birth certificate and your spouse's birth certificates along with proof of your marriage is required to process your request.

If the name on either your birth certificate or your spouse's birth certificate is different from your present names, you must also submit a copy of the court order, marriage certificate, affidavit, or other document to show the name change(s).

If you are unable to obtain a copy of either your or your spouse's birth certificates, you must submit **TWO** of the following documents. These documents must show your birthdate.

- Baptismal Certificate Showing Birthdate (regardless of when it was recorded)
- Citizenship or Naturalization Papers
- Records or information obtained from the U.S. Census Department
- Life Insurance policies taken out at least 10 years prior to your date of retirement
- Social Security Information including birthdate
- U.S. Armed Forces Records
- School Records established prior to your 21st birthday and showing birthdate
- Passport
- Drivers License with Photograph
- Marriage Records showing Birthdate
- Family Bible Entries
- Affidavit of Birth

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ACCEPTANCE OF RE-EMPLOYMENT REGULATIONS

DIRECTIONS:

Read the following information carefully. Then, sign the attached Acceptance form and return the form to the Trust Office along with your application for pension benefits or your Option Selection Letter. Keep these Rules for your future reference. If you have any questions, please telephone and ask to speak to a Pension representative for the Operating Engineers, at (206) 441-7574 or (800) 351-6480.

RULES OF RE-EMPLOYMENT AFTER RETIREMENT REVISED EFFECTIVE JANUARY 1, 2008

IN LAYMAN'S TERMS

Refer to the Plan language on pages 3 and 4 of this notice for definitions of "Employment", "Construction", "Industry", and "Trade" and "Craft".

If you are not yet 62 years of age, you cannot work in any employment which is in any way related to Construction, anywhere in the United States, and receive a monthly pension benefits payment from the plan.

Once you reach 62 years of age, you may work for less than 40.0 hours in a month in employment in the Industry, and in the Trade and Craft, and still receive a pension benefit payment for that month. You may work for any number of hours in a month and receive your pension benefit for that month, if the employment is performed outside of the geographic area covered by the plan. The "geographic area covered by the plan" is defined as Eastern Washington and the entire State of Idaho. Only if you work for over 39.0 hours in a month in the Industry and in the Trade and Craft, and in Eastern Washington and/or Idaho, will your monthly pension benefit for that month be suspendible.

If you reached age 70-1/2 before January 1, 2003, or will attain age 70-1/2 after December 31, 2006, beginning on the first day of the month following your attainment of age 70-1/2, you may work an unlimited number of hours in a month, in the Industry, and in the Trade and Craft, and in Eastern Washington and/or the State of Idaho, and receive monthly pension benefits.

If you attained age 70-1/2 between December 31, 2002 and January 1, 2007, you are subject to the same suspension rules that apply to Retirees who are 62 years of age; that is, your monthly benefits are suspendible you are employed for more than 39.0 hours in a month in the Industry, and in the Trade and Craft, and in Eastern Washington and/or Idaho.

For everyone, regardless of age: The re-employment regulations apply whether the employment is union or non-union.

Exception: Manpower Shortage. If a Contributing Employer (that is, an Employer that is required by a Collective Bargaining Agreement with the Local #370 to contribute to this plan) and the Local #370 agree that there is a manpower shortage, and if you have been retired for at least six months, you may be employed by that Employer, for up to 600 hours, before your pension benefits will be subject to suspension. Be sure to contact the Local Union to have them furnish the Trust Office with a written statement that your employment is due to manpower shortage.

Also, if your employment will extend longer than 600 hours, then you must notify the Trust Fund office as soon as you are aware that your employment will continue. After the 600 hours, then your benefits will be suspended based on your age at that time. And remember, the Trustees can revoke this Manpower Shortage exception at any time if they feel the rules no longer serve the purpose of allowing retirees to work when there is a manpower shortage.

Notifying the Plan. Notifying the Plan, by writing (and, we recommend, telephoning) the Trust Fund office as soon as you return to employment, or even better, as soon as you know that you are going to be re-employed, is extremely important, for two reasons: (1) it enables you to avoid the suspension of an extra month's benefit for failure to notify; and (2) it allows benefits to be suspended right away, so that you can avoid building up large overpayments that you will be required to repay. Include the following information:

1. The date that you are returning to work;
2. The name of the company for which you will be working;
3. The physical location of the job (include nearest city and state if the location would be described by a job site name);
4. A brief description of your job; and
5. If you are over 62 years of age, whether you will be employed over 39.0 hours a month.

Notifying the Plan, again by writing and telephone call, when you are done working is also very important, for two reasons: (1) it allows the Plan to resume your monthly payments as soon as possible (taking into account any repayments that may be needed); and (2) if contributions were made to the plan in your behalf it allows the Plan to schedule a review to see whether your pension benefits can be increased for your just-completed employment. Be sure to specify your last date of employment and how many hours you worked during the last month.

Possible Benefits Increase. Pension benefits can be increased if contributions are made to the plan and your hours of re-employment plus any left-over hours from your previous employment total at least 375.0 hours (one-quarter pension credit). The increase will be effective on the first day of the month following the last day of employment.

Repayment. The Plan is entitled to collect back any overpayments that occur. If you notify the Trust Office promptly, the most that should be overpaid would be one month's benefits. The Plan would simply withhold the first payment after your employment ends, to make up for that overpayment. However, if a greater overpayment occurs, and if you are not yet 62 years of age, the Plan can withhold up to three consecutive months of payments after your employment ends. If you are 62 years of age or greater, then the Plan can withhold one payment in full, and 25% of each following payment, until the overpayment has been recovered.

PENSION PLAN DOCUMENT

Article VIII, Section 8.11 of the Engineers – AGC Pension Plan of the Inland Empire was amended effective January 1, 2008, to clarify the rules for re-employment after retirement. For your reference and information, the following is Section 8.11 through Section 8.16 of the Pension Plan, regarding re-employment after retirement.

2.16 “Normal Retirement Age”

For benefits accrued through December 31, 2016, Normal Retirement age is 62 years old, if the Employee has at least 4,350 Future Service Hours or five (5) Combined Pension Credits in force, at least one of which is a Future Service Credit earned within the jurisdiction of this Plan or the Idaho Operating Engineers- Employers Pension Plan.

For benefits accrued on and after January 1, 2017, Normal Retirement age is 65, if the Employee has at least 4,350 Future Service Hours or five (5) Combined Pension Credits in force, at least one of which is a Future Service Credit earned within the jurisdiction of this Plan or the Idaho Operating Engineers-Employers Pension Plan.

For purposes of vesting under Article VII, “Normal Retirement Age” shall further include, if earlier, the later of:

- (a) The time an Employee attains age 65; or
- (b) Effective January 1, 1988, and only with respect to service performed on or after such date, the first day of the Plan Year in which an Employee reaches the 5th anniversary of the date the Employee commenced participation in the Plan if the Employee has not incurred a Permanent Break in Service at that time. For Plan Years beginning prior to January 1, 1988, it shall be the first day of the Plan Year in which an Employee reaches the 10th anniversary of the date the Employee commenced participation in the Plan if the Employee had not incurred a Permanent Break in Service at that time.

2.27 “Required Beginning Date” means:

- (a) For Participants who attain age 70 ½ either before January 1, 2003 or after December 31, 2006, Required Beginning Date means the April 1st of the calendar year following the calendar year in which the Participant attains age 70 ½.
- (b) For Participants who attain age 70 ½ on or after January 1, 2003 and before January 1, 2007, Required Beginning Date means the April 1st of the calendar year following the later of the calendar year in which the Participant attains age 70 ½ or the date the Participant ceases suspendable employment under Section 8.11(b).

4.01 Normal Retirement.

- (a) For benefits accrued before January 1, 2017, an Employee who has reached age 62 and who has at least 4,350 Future Service Hours or five (5) Combined Pension Credits in force, at least one of which is a Future Service Credit earned within the jurisdiction of this Plan or the Idaho Operating Engineer- Employers Pension Plan, is eligible for a normal retirement on the first day of the month thereafter (normal retirement date).

- (b) For benefits accrued after December 31, 2016, an Employee who has reached age 65 and who has at least 4,350 Future Service Hours or five (5) Combined Pension Credits in force, at least one of which is a Future Service Credit earned within the jurisdiction of this Plan or the Idaho Operating Engineers-Employers Pension Plan, is eligible for normal retirement on the first day of the month thereafter (normal retirement date).

Strict limitations exist on employment following normal retirement that may result in a suspension of pension benefits (see Section 8.10 through 8.18).

4.04 Late Retirement.

An Employee who continues to work after becoming eligible for normal retirement shall be eligible for late retirement on the first day of the month following the month he/she terminates his/her employment and elects to retire (late retirement date).

Strict limitations exist for employment following late retirement that may result in a suspension of pension benefits (see Sections 8.11 through 8.19).

6.06 Late Retirement (Effective January 1, 1989).

If an Employee who is eligible to retire at Normal Retirement Age delays his or her retirement past Normal Retirement Age, benefit payments will not commence if the Employee is notified of the benefit suspension as required by Department of Labor Regulation 2530.203-3(b)(4). An Employee who delays retirement past Normal Retirement Age must notify the Trustees of his/her continued employment of the type described in Section 8.10. The provisions of Sections 8.12 and 8.13 shall apply in verifying such employment.

Upon late retirement the Employee's monthly annuity (the "Late Retirement Benefit"), and his/her Qualified Spouse's actuarial equivalent annuity, if applicable, shall be calculated in the same manner as the Normal Retirement Benefit, including any Future Service Benefits earned after becoming eligible for normal retirement. If the Employee was not notified of the benefit suspension, the benefit payable upon Late Retirement cannot be less than the benefit payable at Normal Retirement age actuarially increased to reflect the delay in payment of benefits beyond the Normal Retirement Date.

An Employee's benefit will be actuarially increased to take into account the period after age 70 ½ in which the employee does not receive any benefits under the Plan. The actuarial increase begins on the April 1 following the calendar year in which the employee attains age 70 ½ and ends on the date on which benefits commence after retirement in an amount sufficient to satisfy Code section 401(a)(9).

8.10 Re-Employment After Retirement.

For purposes of this Section 8.10, Retired Employees who accrued all or part of their benefit before January 1, 2017 will be considered to have a Normal Retirement Age of 62.

Retired Employees shall be subject to the following restrictions with respect to employment under this Plan:

- (a) Before Normal Retirement Age. To be deemed retired before Normal Retirement Age, a Retiree must refrain from any employment either directly or indirectly involving Construction related activities, anywhere in the United States, for wages or profit.
- (b) At Normal Retirement Age and Older. To be deemed retired after Normal Retirement Age, a Retiree must refrain from Employment, as defined in Section 8.10(c), of 40 hours or more during any calendar month:
 - (1) In the same Industry;
 - (2) In the same Trade or Craft; and
 - (3) In the same geographic area covered by the Plan.

Participants who attain age 70 ½ before January 1, 2003 or after December 31, 2006, will commence retirement benefits in accordance with Section 2.27 and Section 10.09 even if they continue to be employed in the above described employment for 40 hours or more during any calendar month.

- (c) Definition of Employment. The term “Employment” as used in Section 8.10(b) shall mean the following:
 - (1) any Hour of Service as defined in Section 2.15 of this Plan; but
 - (2) shall **not** include work performed by a Retiree of Normal Retirement Age or over, which is performed in an office (excluding a field office), or in a non-field position as a supervisor, sole proprietor, partner, or corporate owner.
- (d) Definition of Industry. The term “Industry” as used in Section 8.10(b) means the type of business activities engaged in by Employers who contribute to the Plan (even if the Retiree’s employer does not contribute to the Plan), excluding positions which are maintenance positions for governmental entities.
- (e) Definitions of Trade and Craft. The terms “Trade” and “Craft” as used in Section 8.10(b) mean skills achieved through training or practice which Participants learn or exercise while working under the Plan, excluding positions which are maintenance positions for governmental entities.
- (f) Definition of Construction. “Construction” means the actual assembly, improvement to, or repair of buildings, structures or other real property and includes, but is not limited to, demolition, excavation, dismantling of structures, resurfacing, repair and grading of roads and highways or other real property.
- (g) Notwithstanding the provisions of Section 8.10(a) and (b) above, a Retiree who has been retired a minimum of 6 months may return to work in Employment with a Contributing Employer for a maximum of 600 hours in a calendar year, during periods of manpower shortages, without incurring a suspension of benefits under Section 8.11.

If a Retiree prior to Normal Retirement Age works more than the 600 hours allowed, such Retiree’s pension benefits shall be suspended for every calendar month he is thereafter so employed in accordance with Section 8.11.

If a Retiree who has attained Normal Retirement Age works more than the 600 hours allowed, Section 8.10(b) shall apply for any calendar month he is thereafter so employed.

The Trustees reserve the right to revoke this Section 8.10(g) at any time if in their sole discretion they determine that the provision no longer serves the purpose of allowing Retirees to work when there is a manpower shortage. This provision will be subject to annual review by the Trustees.

8.11 Suspension of Pension Payments.

For purposes of this Section 8.11, Retired Employees who accrued all or part of their benefit before January 1, 2017 will be considered to have a Normal Retirement Age of 62.

- (a) Before Normal Retirement Age. If a Retiree who has not attained Normal Retirement Age becomes re-employed in work of the type described in Section 8.10(a), payment of his/her retirement benefits will be suspended for any calendar month in which he/she is so employed. In addition, payment of retirement benefits shall be suspended for the month following employment, but not beyond the Retiree's Normal Retirement Age, if the Retiree fails to satisfy the notice requirements set forth in Section 8.12(b) below.
- (b) After Normal Retirement Age. If a Retiree who has attained Normal Retirement Age is or becomes re-employed in work of the type described in Section 8.10(b), payment of his/her retirement benefits shall be suspended for any calendar month of such employment. After he/she ceases such employment, payment of his/her retirement benefits shall commence with the first month following the cessation of employment of the type described in Section 8.10(b).
- (c) Amendment of Suspension Provisions. The provisions of Section 8.10 and 8.11 will not be amended to expand the types of employment that will result in the suspension of retirement benefits with respect to benefits already accrued at the time of any amendment.

8.12 Notices.

For purposes of this Section 8.12, Retired Employees who accrued all or part of their benefit before January 1, 2017 will be considered to have a Normal Retirement Age of 62.

- (a) Upon commencement of payment of retirement benefits, the Trustees will furnish a notice to the Retiree of the Plan rules governing suspension of benefits, including the geographic area covered by the Plan. If benefits have been previously suspended and resumed, a new notice shall be furnished to the Retiree if there has been any material change in the Plan's suspension of benefit rules for the types of work or geographic area covered by the Plan.
- (b) A Retiree shall notify the Plan Trustees in writing within 31 days after starting any work of a type that is described in Section 8.10 above, without regard to the number of hours of such work.

If a Retiree has worked in employment described in Section 8.10 above in any month after Normal Retirement Age and has failed to give timely notice to the Plan of such employment, the Trustees shall presume that he/she worked for at least 40 hours in such

month and any subsequent month before the Retiree gives notice that he/she has ceased such employment. The Retiree shall have the right to overcome such presumption by establishing that his/her work was not in fact an appropriate basis, under the Plan, for suspension of his/her benefits.

The Trustees shall inform all retirees at least once every 12 months of the re-employment notification requirements and the presumption set forth in this paragraph.

- (c) A Retiree whose retirement benefits have been suspended shall notify the Plan when prohibited employment has ended. The Trustees shall have the right to withhold any benefit payments otherwise due to the Retiree until such notice is received by the Plan.
- (d) A Retiree may request that the Trustees determine in advance whether particular employment will result in the suspension of benefits. The Plan shall inform the Retiree of its determination within a reasonable time not to exceed 90 days after receipt of the request.
- (e) The Plan shall inform a Retiree of any suspension of his/her retirement benefits by a notice which will be furnished by personal delivery or first class mail during the first calendar month in which the Plan withholds a benefit payment. Such notice shall contain a description of the specific reasons for the suspension, a copy of the relevant provisions of the Plan, reference to the applicable regulation of the U.S. Department of Labor, if any, and a statement of the procedure for obtaining a review of the suspension. In addition, the notice shall describe the procedure for the Retiree to notify the Plan when his/her prohibited employment ends. If the Plan intends to recover prior overpayments by offset under Section 8.15(b) below, the suspension notice shall explain the offset procedure, identify the amount to be recovered, and the periods of employment to which the overpayments relate.

8.13 Review.

A Retiree shall be entitled to a review of a determination by or on behalf of the Trustees suspending his/her benefit payments or that contemplated employment will result in the suspension of benefits by filing a written request with the Trustees within 180 days of the notice of suspension.

8.14 Waiver of suspension.

The Trustees may, upon their own motion or on request of a Retiree, waive suspension of benefits subject to such limitations as the Trustees in their sole discretion may determine, including any limitations based on the Retiree's previous record of benefit suspensions or non-compliance with reporting requirements under Section 8.12. Any limitations based on the Retiree's previous record of benefit suspensions or noncompliance with reporting requirements under this Article shall be uniformly applied.

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ACCEPTANCE OF RE-EMPLOYMENT REGULATIONS REGARDING EMPLOYMENT OVER AGE 62

DIRECTIONS: Sign this form and return it to the Trust Office along with your application for pension benefits or Option Selection Letter. Your application for benefits will not be processed until the Trust Office receives this completed form.

I certify that I have received the “Rules of Re-Employment After Retirement” and have read and understood them. I agree that retirement eligibility and payments are to be governed entirely by the provisions of the Plan, or as the Plan may hereafter be amended, and that the payment of any retirement benefit and its acceptance by me shall not prevent the Trustees from recovering, or in any other way, affect their right to recover, any payment to me in excess of the amount to which I am entitled under the provisions of the Plan, nor shall the making of any retirement payment to me obligate the Trustees in any way to make further payments in any amount whatsoever except as may be provided by the Plan as it may from time to time be amended.

Furthermore, if I return to employment, I understand that the monthly benefit amount set forth at this time may vary from that to which I may actually be entitled.

Following, I have marked **ONE** of the two boxes that accurately reflect my employment history in the jurisdiction of the Local #370 (Eastern Washington and the State of Idaho), and if needed, have detailed my employment on this form.

I certify that I **have not** been employed over 39.0 hours in any month, in the construction industry, in the trade or craft, and in the jurisdiction of the Local 302/370, either union or non-union, from _____ forward.
Insert date

I certify that I **was** employed ***over 39.0 hours in every month*** in the construction industry, in the trade or craft, and in the jurisdiction of the Local 302/370, either union or non-union, from _____ to _____.
Insert starting date *Insert ending date*

I have listed on this form (**on the reverse side**) only the months in which I have been employed over 39.0 hours or more in the industry from _____ forward.

Print Your Name

Your Social Security Number

Signature

Date

See reverse side

