



## Pension Fund of Local No. One, I.A.T.S.E.

320 West 46<sup>th</sup> Street, 6<sup>th</sup> Floor • New York, NY 10036 • Tel (212)247-5225 • Fax (212)977-9319 • www.fundoneiatse.com

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### NOTICE TO ALL PARTICIPANTS IN THE PENSION FUND OF LOCAL NO. ONE IATSE

On January 1, 2007, an amendment to the Pension Fund of Local No. One (the "Pension Fund") went into effect. This Notice presents a brief description of the amendment and gives the complete text of the amending language, and is provided to you in accordance with the requirements of ERISA Section 204(h), 29 U.S.C. § 1054(h).

The Plan provides for credited pension earnings during non-work periods in the case of disability for up to 26 weeks per year with a lifetime maximum of 104 weeks. Article III, Section 5(b) of the Plan defines eligibility for such credit as:

- (1) being unable to work due to disability, and
- (2) receiving either
  - a. Social Security Benefits,
  - b. weekly State Disability Benefits,
  - c. Long Term Disability Benefits under the Union plan,
  - d. Workers' Compensation Benefits,
  - e. Or having spent 21 or more consecutive days as an inpatient in a hospital or other facility for which the Fund provided coverage.

Previous to this amendment, it was possible that a participant who qualified for credit by virtue of receiving Long Term Disability ("LTD") benefits under the Union plan would no longer qualify when the LTD benefits expired, even though they continued to be unable to work due to disability and had not reached the 104 week lifetime maximum. The amendment adds language that allows for continued qualification in such case, subject to the other requirements of the Plan (e.g., the 104 week lifetime maximum and the requirement to submit proof of continue disability).

The amendment specifies that Article III, Section 5(b), first paragraph is amended to read as follows:

*"Eligible Employees who are unable to work due to disability and who are receiving Social Security Benefits, weekly State Disability Benefits, Long Term Disability Benefits under the Union plan, or Workers' Compensation Benefits or who have spent 21 or more consecutive days as an inpatient in a hospital or other facility for which the Fund provided coverage, will, for the purposes, of eligibility, be deemed to have had earnings in Covered Employment for up to 26 weeks of disability per calendar year. An Employee who received Long Term Disability Benefits under the Union plan for two years and continues thereafter to be unable to work due to that same disability that satisfied the criteria under the Union plan shall also be deemed to have had earnings in Covered Employment for up to 26 weeks of disability per calendar year. The dollar amount of such weekly credited earnings shall be 1/26<sup>th</sup> of the minimum Covered Earnings required at such time for a Pension Credit. When a period of disability overlaps two calendar years and the Employee has no need to count any portion of such period of disability in order to satisfy the eligibility requirement in the first year, the period of disability in that first year may be applied to the second year if, due to the disability, the Employee remains unable to work. You will be required to submit proof of your disability to the Fund Manager on the forms and in the manner as the Fund Manager may require."*

We recommend that you insert this Notice in your Plan booklet so that you will have an updated record readily available. If you have any questions concerning this amendment or any other provisions of the Pension Plan, please call or write the Fund Office.