

## U.A. Local No. 467 Trust Funds

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# SUMMARY OF MATERIAL MODIFICATIONS TO THE U.A. LOCAL 467 DEFINED BENEFIT PENSION PLAN

The Board of Trustees of the U.A. Local 467 Defined Benefit Pension Plan (“Plan”) amended the Plan’s Claims and Appeals Procedures during the COVID-19 Outbreak Period pursuant to the jointly released Department of Labor (“DOL”) and IRS Emergency Rules and Regulations entitled “Extension of Certain Timeframes for Employee Benefit Plans, Participants, and Beneficiaries Affected by the COVID-19 Outbreak”.

The Board of Trustees also amended the Plan pursuant to a recent federal law to provide that the Plan’s Required Minimum Distribution Date (“RMD”) is changed from age 70-1/2 to age 72 for a Participant who reaches age 70-½ on or after January 1, 2020. Individuals already required to receive an RMD must still do so during 2020 for this Plan. The Board of Trustees amended the Plan as follows:

**TEMPORARY PUBLIC HEALTH EMERGENCY EXTENSION RULES.** A joint IRS and DOL emergency regulation requires the Plan to disregard the period from March 1, 2020 until 60 days after the announced end of the COVID-19 National Emergency (referred to as the “Outbreak Period”) for Plan Participants, beneficiaries, or claimants in determining the following periods and dates:

1. **Plan’s Claims Filing Procedure.** Any applicable benefit claims filing requirement, including but not limited to the 90 day period to file a Retirement Application and one year period to file a lawsuit, for claims as of March 1, 2020, has been temporarily postponed and counted from the end of the Outbreak Period. Thus, you have more time to file such claims.
2. **Plan’s Appeals Procedure.** For those claimants who received a denial of a claim (also known as an adverse benefit determination) as of March 1, 2020, you have 60 days counted from the end of the Outbreak Period to file an appeal.

**Required Minimum Distribution (“RMD”) Age.** Distributions will be made under this Plan as follows:

- (i) Pursuant to IRS requirements, for a Participant who attains age 70 ½ on or after January 1, 2020, distributions from the Plan shall commence no later than April 1 of the calendar year following the later of the year in which the Participant attains age 72 or the year in which the Participant retires. The Required Minimum Distribution for a five percent owner is age 72 even if still working.
- (ii) Any Participant who attains age 70-½ prior to January 1, 2020, would continue to be required to take distributions under the prior Required Minimum Distribution rule (which requires distributions to commence no later than April 1<sup>st</sup> of the calendar year following the later of the calendar year in which the Participant attains age 70-½ or the calendar year in which the Participant retires, and for a five percent owner distributions must commence no later April 1<sup>st</sup> of the calendar year following the calendar year in which the Participant attains age 70-½, even if still working).

- (iii) Distributions made pursuant to subparagraphs (i) and (ii) above, if not paid in a lump sum, are payable over a period certain not to exceed the life or life expectancy of the Employee or the joint life or life expectancy of the Employee and his or her designated Beneficiary.
- (iv) If an Employee commences retirement after April 1st of the calendar year following the year in which the Employee attains age 72 (for those participants who attain age 70-½ on or after January 1, 2020), the Employee's accrued benefit will be actuarially increased to take into account the period after age 70-½ in which the Employee was not receiving any benefits under the Plan.

Please contact this office if you have any questions.