



Local Union No. 569
International
Brotherhood of
Electrical Workers

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San Diego Chapter
National Electrical
Contractors Association, Inc.

May 31, 2007

TO: All Participants and Retirees of the San Diego Electrical Pension Trust

FROM: Ken Stuart, Administrative Manager

RE: General Information

Pension Funding Legislation

Over recent years a growing number of very poorly funded employer sponsored defined benefit pension plans (like United Airlines) have turned their Plans over to the Pension Benefit Guarantee Corporation, a federal government agency. As a result significant pension legislative requirements will require Trustees of even well-funded plans to address increasingly more stringent minimum actuarial funding requirements.

Qualified Domestic Relations Orders (“QDRO”)

It is important for Pension Plan participants who have been divorced to be aware that there may be language in their divorce order (Domestic Relations Order) that pertains to their pension benefit earned under the San Diego Electrical Pension Plan and/or any other IBEW related pension program.

It is also important to note that at the time of filing an application for retirement benefits the Plan must be aware of whether any portion of the participant’s total accrued monthly benefit has been awarded to a former spouse in order to properly calculate their benefit options.

The Pension Trust’s attorney will prepare a QDRO in accordance with the sample QDRO approved by the Board of Trustees at no cost to the parties to the Agreement. All that is needed is for the Trust Office to be provided with a copy of the actual Judgment of Dissolution and any marital Settlement Agreement. The Trust Office will then provide the attorney with all other pertinent information necessary to produce the QDRO. Once the completed document has been entered by the court you must provide the court conformed copy of the QDRO to the Trust’s attorney. The Plan will then be in a position to provide the participant and former spouse with their benefit options at the time they file an application to receive benefits.

If the above applies to you it is highly recommended that a QDRO be prepared well in advance of your anticipated retirement date in order to establish the division of pension benefits and to prevent any delay in processing your application due to this procedure having to be started and completed at that time. Please contact the Trust Office with any questions in this regard.

Even if you were awarded all of your pension benefits accrued under the Plan during a prior marriage you must provide the Trust Office with a copy of the Judgment of Dissolution. Therefore, it is recommended that you remit your divorce decree and settlement papers now, instead of waiting to until you are ready to apply for your pension, so this issue can be disposed of and won't delay the process. If you have any questions about these matters you should consult with an attorney because neither the Trust nor its attorney can provide you with legal advice.

Retirement and Post-Retirement Employment

The Pension Plan's definition of "retirement" is that a participant ceases to work in, nor be entitled to receive any compensation or monetary gain from, the electrical industry, craft or trade except as permitted in the Suspension of Benefits Rules in the Plan.

Therefore, if a participant is working within the jurisdiction of IBEW Local 569 as of the last work day prior to the first month for which they will be receiving a pension benefit, they must have formally severed their employment with that contractor. Evidence of termination of employment will be required by the Plan prior to commencing benefit payments.

The Suspension of Benefits provisions provide that a Retiree may become re-employed in the electrical industry, craft or trade within California and continue to receive his or her monthly pension benefit so long as he or she does not work 40 hours or more in any calendar month. If such employment also constitutes Non-Covered Electrical Service, as defined by the Plan in Article VII, Section 1, in addition to the prior limitations which prohibit work of 40 hours or more in any calendar month in the electrical industry, craft or trade within California, **any and all** pension benefits accrued on or after January 1, 1989 will not be payable until he or she attains age 65.

It is important for active participants whose service in the Plan started on or after January 1, 1989 to be aware that if they work in Non-Covered Electrical Service (i.e. for non-signatory contractors) at any time that, unless otherwise provided for in the Plan, they will **not** be entitled to commence receipt of their pension benefits until they attain age 65.

Please contact the Trust Office with any questions relative to the above or the Pension Plan in general.

Thank You.
