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NEBF
National Electrical Benefit Fund



Lawrence J. Bradley
EXECUTIVE SECRETARY-TREASURER

MEMORANDUM

December 14, 2010

TO: All NECA Chapters and IBEW Local Unions Participating in the NEBF

FROM: Lawrence J. Bradley, Executive Secretary-Treasurer

SUBJECT: Notice Concerning the Extension of the Temporary Return to Trade Amendment to the Plan of Benefits for the NEBF

The extension of the Temporary Amendment to the Plan of Benefits for the NEBF authorized by the National Employees Benefit Board that permits certain eligible retirees to return to covered and contributory employment for a period of time without a loss of pension benefits will expire on *December 31, 2010*.

The Return to Trade Amendment **will not** be renewed for the calendar year 2011. Consequently, the normal rules (permitting work in the electrical industry for less than forty (40) hours per month without a suspension of benefits) will apply. For your convenience, attached is a copy of NEBF's Return to Work Policy

Should you have any questions, please feel free to contact me at 301-556-4303.

cc: Mr. D. R. Borden, Jr., NEBF Trustee
Mr. Lindell K. Lee, NEBF Trustee
National Employees Benefit Board
IBEW Vice Presidents
NECA Directors and Field Representatives



RETURN TO WORK POLICY

Your monthly NEBF pension benefits will not be paid to you for any month during which you perform any electrical work of any kind for forty (40) or more hours, except as stated below.

Section 15.1 of the Plan of Benefits for the NEBF provides the following:

A participant who is receiving a Retirement Pension Benefit and who subsequently completes forty (40) or more Hours of Service in any calendar month in the electrical industry, at a trade or craft in which the Participant was employed at any time while covered by the NEBF, and within the geographic area covered by the NEBF, shall have his monthly Retirement Pension Benefit suspended for that month and any subsequent month in which the Participant completes forty (40) or more such Hours of Service. In such event, payment of Retirement Pension Benefits shall be suspended until the Participant advises the Trustees in writing that he is no longer so employed. Every Participant receiving payment of Retirement Pension Benefits must advise the Trustees in writing of any such employment which exceeds forty (40) or more Hours of Service in any calendar month. If a Participant fails to so notify the Trustees and the Trustees become aware that such Participant is employed in the manner described above, the Trustees may act on the basis of a rebuttable presumption that the Participant completed forty (40) or more Hours of Service for that month and suspend payment of Retirement Pension Benefits for such month. A Participant who works as an instructor in an apprenticeship program recognized by the Association and the Brotherhood or as an electrical inspector for a governmental authority, where such instructors or electrical inspectors are not contributed upon, shall not have his monthly Retirement Pension Benefit suspended due to such work.

You are required to notify this office in writing if and when you begin performing such work. It is important that you notify us because if you do not do so, when our records show that you have performed work in the electrical industry, we will deduct the improper pension amounts paid from subsequent benefit payments when you cease performing work and revert to eligibility for regular benefits. The amount of deduction may be up to 100% of all monthly benefits due you for the first three months and 25% of monthly benefits thereafter. The deduction can also continue against your spouse's benefits after your death. Of course, you can agree to reimburse the Fund by a direct payment.

When you cease performing electrical work for forty (40) or more hours per month and advise us of that fact in writing, we will resume paying your monthly NEBF benefits, minus any proper deductions discussed above.

Note that the NEBF's general rules regarding the commencement of benefits for participants who attain the age of seventy and one-half (70½) changed, effective February 27, 2002, so as not to permit in-service benefit distributions. As a result, if you attain age 70½ on or after February 27, 2002, and you return to work forty (40) or more hours in any month, the NEBF still will be required to suspend your benefits for that month. However, an exception applies if you are a five-percent owner of a Covered Employer at the time you attain age 70½, or if you attained age 70½ prior to February 27, 2002, which permits you to work an unlimited amount of hours without having your NEBF benefits suspended.

If you have any questions about the effect of any gainful employment on your monthly NEBF benefits or any questions with regard to the NEBF's 70½ rules, we urge that you seek advice from this office before you take any action which may jeopardize your monthly NEBF benefits.

NEBF may request from you reasonable information from time to time to verify your employment status and we may request that you certify that you are unemployed in the electrical industry.

Applicable Department of Labor Regulations may be found in Section 2530.203-3, Title 29, of the Code of Federal Regulations.

You will be allowed to appeal any suspension of benefits by using our normal claims and appeal procedures found in the NEBF Summary Plan Description.