

Cement Masons & Plasterers Trust Funds

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Administered by
Welfare & Pension Administration Service, Inc.

July 28, 2022

**TO: All Active Participants and Retirees
Cement Masons and Plasterers Retirement Trust**

RE: Changes to Disability Retirement Rules

The Cement Masons and Plasterers Retirement Plan currently provides that an employee who is disabled may be eligible for a disability retirement. To be disabled, an employee must meet the following requirements:

- (1) The employee must be determined to be disabled under the Social Security Act;
- (2) The employee must have at least one (1) year of Credited Future Service;
- (3) The employee must have at least five (5) Years of Service, and be at least age 55 (for disabilities on or after April 1, 1998); and
- (4) As of the date the Social Security Administration found the employee became disabled under the Social Security Act, the employee must have a total of 750 or more Hours of Service in this Plan or a Related Plan in the prior three (3) **consecutive** Plan Years.

Conversion from Early Retirement to Disability Retirement

The Plan has allowed an employee to convert from an early retirement benefit to a disability retirement benefit if the retiree satisfies the age and service requirements above and if, at the time of the employee's early retirement application, the employee advised the Plan of their disability and their intent to retire on a disability retirement benefit once the Social Security Administration determined that the employee is disabled.

Employees are sometimes put in a difficult position of deciding whether to retire because of injury or condition without knowing whether the injury or condition is disabling. Employees may try to return to work and forego applying for Social Security and as a result, lose the opportunity to later apply for disability retirement because they do not have sufficient hours worked in the three Plan years prior to the date of their disability.

Because of this difficult position, the Plan is changing its standards for when an employee can convert from an early retirement benefit to a disability retirement benefit.

First, the Plan will no longer count the year in which the Social Security Administration determines the employee to be disabled as part of the prior three years in which the employee must have 750 hours reported to the Plan.

Second, the Plan will no longer require the employee to provide notice of the employee's intention to file for Social Security disability at this time of their early retirement application. However, the employee must show proof that on the date that they submitted their early retirement benefit application, they were disabled from their own occupation in the trade or craft in which they were employed while earning Credited Service, and the employee must be found to be disabled under the Social Security Act on a date no later than twelve (12) months following the employee's early retirement date, based on the same or related disabling condition which existed at the time of their early retirement benefit.

An employee who seeks to convert from an early retirement benefit to a disability retirement benefit must still satisfy the age and service requirements for a disability retirement as set forth in the being section of this notice ((1) year of Credited Future Service, and at least five (5) Years of Service, and be at least age 55, and have a total of 750 or more hours of service in this Plan or a related Plan in the prior three (3) consecutive Plan Years, not counting the year in which the employee is found by Social Security to be disabled).

These changes are effective immediately. If you believe you are eligible to convert from an early retirement benefit to a disability retirement under these new standards, please contact the Plan's Administration Office.

This notice provides only a summary of the benefits provided by the Retirement Plan and the changes that were made. If you have questions you may refer to the Plan booklet or contact Thao L. at the Trust Administration Office, 877-367-0528, extension 3219.

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