**LOCAL 272 LABOR-MANAGEMENT PENSION PLAN**

**SUMMARY OF YOUR PENSION PLAN**

**EFFECTIVE DECEMBER 1, 2014**

**UPDATED MARCH 1, 2015**

**KEEP THIS WITH YOUR IMPORTANT RECORDS**

**HO DO YOU BECOME A MEMBER OF THE PLAN**

You can become a member of the Plan if you work in a job category covered by a collective bargaining agreement between your employer and Garage Employees Local Union 272 of the International Brotherhood of Teamsters.

**When Do You Become a Member?**

You will become a member of this Plan on the January 1 or July 1 immediately after you complete 1000 hours of service in covered employment in a 12 consecutive month period measured from your date of hire or rehire. If you work for your employer in a non-covered job and then switch to a covered job with no break in between, your hours of work in the non-covered job can count towards membership. Once you become a member of the Plan, credit for your time in the Plan will be counted as of your date of hire, not the days you become a member.

**HOW DOES YOUR WORKING TIME COUNT?**

Your working time counts in several important ways. First it counts toward getting into the Plan, as described above. Second, it is used to determine whether you are eligible for benefits and how much those benefits will be (pension credits). Third, working time determines whether you are entitled to benefits because of breaks in service (vesting service).

**Pension Credits**

Your eligibility for and the amount of your pension is based on your whole and partial pension credits. The way your pension credits are figured depends on the year during which you worked.

For the period you worked before June 4, 1957, pension credits will be determined on the basis of the number of years you worked in covered employment, measured from your original date of hire until June 4, 1957. The Trustees will determine the amount of credit from Fund records or records furnished by the Union or your employer.

For the period you worked between June 5, 1957 and December 31, 1975, pension credit will be figured according to this schedule:

 **Hours of employment per year Pension Credit**

 Less than 400 hours 0

 400-799 hours ¼

 800-1199 hours ½

 1200-1599 hours ¾

 1600 or more hours 1

For periods of employment after January 1, 1976, you will earn pension credits based on your hours of service in covered employment according to this schedule:

 **Hours of Service Per Year Pension Credit Percentage**

 400-599 hours 30%

 600-799 hours 40%

 800-999 hours 50%

 1000-1199 hours 60%

 1200-1399 hours 70%

 1400-1599 hours 80%

 1600 or more 100%

If you are out of work because of a disability after August 1, 1977 and you already have pension credit, you will be credited with up to 1000 hours of service for the period of disability. However, you can receive this credit only once.

**Vesting Service**

Your eligibility for a deferred pension and the determination of a permanent break in service is based on your years of vesting service. You will receive one year of vesting service for each pension credit you had earned as of December 31, 1976. For periods of work after January 1, 1976, you will receive one year of vesting service for each year during which you complete 1000 hours of service in covered employment. This includes time you work for your employer in a non-covered job after December 31, 1976. However, no years of vesting service will be credited for periods before January 1, 1971 unless you earned at least 3 years of vesting service after December 31, 1970.

**Is it possible to Lose Your Pension Credits and Vesting Service?**

Yes, this can happen. Before 1976 you lost your pension credits and vesting service if you did not earn at least one pension credit during any four-year period unless you already had 20 pension credits, five of which were earned while your employer was contributing to the Plan. After 1975, if you have less than 10 pension credits or 10 years of vesting service and you earn less than 500 hours of service in any year, you might lose your pension and vesting service. You can also lose your Plan membership. For Plan credit years beginning after 1998, a non-vested Participant has a permanent break in service if he has at least five (5) consecutive one-year breaks in service.

Any year in which you earn less than 500 hours of service is a one-year break. If you do not have 5 pension credits or 5 years of vesting service, the number of your consecutive one-year breaks is measured against your years of vesting service to see if you will lose your pension credit and vesting service. If the number of your one-year breaks is equal to or greater than the number of your years of vesting service and your one-year breaks are after 1975 you have a permanent break in service and you lose your Plan membership and will have to meet the eligibility requirements described previously before you can earn pension credit and years of vesting service again.

For example:

Juan completes more than 1000 hours of service in each of two consecutive years. Therefore, he has two years of vesting service. Then he works less than 500 hours in each of the next two years. As a result, he has two consecutive one-year breaks. Because these two one year breaks equal his years of vesting service, he loses his vesting service and pension credit from before the one-year breaks. He also loses his Plan membership.

On the other hand, if the number of one-year breaks is fewer than the number of years of vesting services, you will keep your vesting service from before the one year breaks.

For example:

Julia completes more than 1000 hours of service in each of three consecutive years. Therefore, she has three years of vesting service. Then she does not work at all the next year. Therefore, she has a one-year break. In the year following the one-year break, Julia completes more than 1000 hours of service in covered employment. Because Julia has more years of vesting service than one-year breaks, she does not lose her Plan membership. In fact, she can add her three years of vesting service from before the one-year break to the year she worked after the one-year break. This gives Julia four years of vesting service.

Remember, once you have five (5) pension credits or five (5) years of vesting service, your vesting service and pension credit cannot be lost, regardless of the number of one year breaks you have.

**WHEN ARE YOU ELIGIBLE FOR BENEFITS?**

**Regular Pension**

You are eligible for a regular pension if you are at least 65 years of age and have at least five (5) vesting credits. You are also eligible for a regular pension if you are at least 55 years of age and your age and the number of Pension Credits earned equal or exceed 85. This is commonly known as “The Rule of 85”.

**Early Retirement Pension**

You are eligible for an early retirement pension if you are at least 62 years of age and you have at least 20 pension credits.

**Deferred Pension**

If you leave covered employment before you are eligible to retire, you may be eligible for a deferred pension. You have a right to a deferred pension depending on when you leave covered employment or when you reach normal retirement age. It is best to contact the Pension Fund Office when you near retirement age and request an estimate of what your pension might be.

**Disability Pension**

You may be eligible for a disability pension if, after submitting to the Board of Trustees a copy of your award letter from the Social Security Administration determining that you are permanently and totally disabled and:

 You have at least 15 pension credits, and

 You worked in covered employment for at least 500 hours

 within the 24 months before you became totally and permanently

 disabled.

If you meet all of these conditions, your disability pension can begin on the first day of the 7th month of your total disability. Benefit payments will continue until you recover, and you are no longer eligible for a Social Security Disability Pension.

**Non-Duplication of Benefits**

You can receive only one pension under this Plan. However, if you are receiving a disability pension and then recover, you may be entitled to receive a regular or early retirement pension instead. Also, you may be entitled to receive a pension as a surviving spouse.

**HOW MUCH WILL YOUR BENEFIT BE?**

**Your regular Pension Benefit**

The amount of your regular pension benefit is based on the employer contribution rate that applies to you. The chart beginning on page 13 of the Pension Plan (that is attached) shows the maximum monthly pension amount for the contribution rates up to $2.90 per hour, the Trustees will figure your benefit level.

For example:

Nick is retiring at age 65 with 16 pension credits. His contribution rate is 90 cents per hour. According to the chart on page 13 of the Pension Plan, the benefit amount that corresponds to a 90 cents per hour is $38.55. Therefore, his pension is figured like this:

$38.55 x 16 pension credits = $616.80

 Nick will receive $616.80 for the rest of his life.

The benefit level used to figure your pension will be determined by the contribution rate in effect immediately before you retire or leave covered employment, provided you earn at least 1000 hours of service in each of the two consecutive years with your final contributing employer.

If you work for two or more employers with different contribution rates, your benefit level will be based upon the benefit level applicable to the category of employment for which you worked the majority of hours during the three-year period immediately before you retire or separate from employment.

**Early Retirement Benefit**

The monthly amount of your early retirement benefit is figured like this:

 Regular pension benefit

 Reduced by

 ½% for each month you retire before age 65

The maximum reduction is 18% because you cannot retire early before age 62.

**Deferred Retirement Benefit**

If you are eligible for a deferred retirement benefit and you choose to have payments begin at age 65, your pension amount will be figured like a regular pension.

If you want payments to begin between ages 62 and 65 and you qualify, your benefit will be figured like an early retirement benefit.

**Disability Benefit**

If you are eligible for a disability pension, the benefit amount will be figured like this:

 Regular pension benefit

 Reduced by

 ¼% for each month you retired before age 65.

The maximum reduction is 18% in total.

**Application**

In order to receive your pension, you have to submit a written application to the Trustees for their approval.

The pension to which you are entitled will be determined by the Plan in effect when you leave covered employment.

**If You Are Re-employed**

If you retire and then return to employment or self-employment in the industry in the Greater New York area, you have to notify the Trustees in writing within 21days of your employment. Your pension payments will be suspended during your re-employment unless you are over the age required to collect mandated by the government.

When you again retire, your benefit will be recalculated if you have completed at least one year of vesting service during your reemployment. Your new benefit will include any additional pension credits you have earned and will be based on your age when you re-retire minus the number of months during which you had already received benefits.

**HOW IS YOUR PENSION PAID?**

If you are single and have never been married, you are entitled to receive 100% of your benefit. If you are married to the same spouse throughout the 12-month period immediately before you retire, you and your spouse must elect how you both want your pension to be paid. You and your spouse can elect to have the member receive 100% of the entire benefit of their lifetime. You and your spouse can elect the 50% Husband and Wife Pension or the 75% Husband and Wife Pension. If you elect the 50% or 75% Pension, you will receive a reduced pension when you retire and if the member dies, the surviving spouse will receive 50% or 75% of the amount the member was receiving for the remainder of their life.

**HOW ARE YOUR SURVIVORS PROTECTED?**

**Spouse’s Benefit**

Your spouse is automatically entitled to the 50% Husband and Wife Pension if you die after you reach age 62, and you are actively working in covered employment when you die or were eligible to receive a pension at the time of your death.

Your pension will be figured as if you had retired on the day prior to your death. Your spouse will receive 50% of that amount for the rest of his or her life.

**Lump Sum Death Benefit**

If you die after you retire, a lump sum will be paid to your spouse unless your spouse waives his or her right to the death benefit. If your spouse waives his or her right to the death benefit, you can choose any beneficiary you want.

 **Date of Retirement Amount of Death Benefit**

Prior to July 1,1957 $1,500

On or after July 1, 1957

but prior to June 1, 1963 $2,000

On or after June 1, 1963

but prior to April 1, 1965 $2,500

On or after February 6, 1977 $250 for each year of

 Pension Credit up to a

 Maximum of $5,000

 For 20 years or more

If you have not designated a beneficiary at the time of your death, this benefit will be paid to the beneficiary designated to receive the death benefit provided by the Local 272 Welfare Fund. If no beneficiary has been designated there, payment will be made to your estate.

**WHAT ELSE DO YOU NEED TO KNOW ABOUT YOUR PLAN?**

You do not make any contributions toward this Plan. Contributions are made by your employer and are based upon a negotiated rate that has been determined through a collective bargaining agreement. These contributions are held and invested by the Trustees for the exclusive benefit of the Plan participants.

This Plan is administered by a Board of Trustees consisting of an equal number of Union and Employer Trustees. The Trustees are responsible for carrying out the provisions of the Plan in a fair and equitable way.

If you file an application for benefits and you receive a decision you disagree with and you act within 180 days, you can get your case reviewed. You must ask for the review in writing to the Trustees in care of the Fund Office. You can ask for any information the Trustees have that is relevant to your case. You can also submit arguments or comments in writing. Soon after you ask for a review, you will receive a written decision. That notice will include the specific reasons for the decision and will refer to the provisions of the Plan on which the decision was based.

**Pension Benefit Guaranty Corporation (PBGC)**

Your pension benefits under this multiemployer plan are insured by the Pension Benefit Guaranty Corporation (PBGC), a federal insurance agency. A multiemployer plan is a collectively bargained pension arrangement involving two or more unrelated employers, usually in a common industry. Under the multiemployer plan program, the PBGC provides financial assistance through loans to plans that are insolvent. A multiemployer plan is considered insolvent if the plan is unable to pay benefits (at least equal to the PBGC’s guaranteed benefit limit) when due. The maximum benefit that the PBGC guarantees is set by law. Under the multiemployer program, the PBGC guarantee equals a participant’s years of service multiplied by (1) 100% of the first $11 of the monthly benefit accrual rate and (2) 75% of the next $33. The PBGC’s maximum guarantee limit is $35.75 per month times a participant’s years of service. For example, the maximum annual guarantee for a retiree with 30 years of service would be $12,870. The PBGC guarantee generally covers: (1) Normal and early retirement benefits; (2) disability benefits if you become disabled before the plan becomes insolvent; and (3) certain benefits for your survivors. The PBGC guarantee generally does not cover: (1) Benefits greater than the maximum guaranteed amount set by law; (2) benefit increases and new benefits based on plan provisions that have been in place for fewer than five (5) years at the earlier of: (i) The date the plan terminates or (ii) the time the plan becomes insolvent; (3) benefits that are not vested because you have not worked long enough; (4) benefits for which you have not met all of the requirements at the time the plan becomes insolvent; and five (5) non-pension benefits, such as health insurance, life insurance, certain death benefits, vacation pay and severance pay. For more information about the PBGC and the benefits it guarantees, ask your plan administrator or contact the PBGC’s Technical Assistance Division, 1200 K Street N.W., Suite 930, Washington, D.C. 20005-4026 or call 202-326-4000 (not a toll-free number). TTTY/TDD users may call the federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4000. Additional information about the PBGC’s pension insurance program is available through the PBGC’s website on the Internet at <http://www.pbgc.gov>.

**Your Rights Under the Employee Retirement Income Security Act**

As a Plan Participant, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all Plan Participants shall be entitled to:

**Receive Information About Your Plan and Benefits**

* Examine, without charge, at the Fund Office all documents governing the plan and collective bargaining agreements, and a copy of the latest annual report (Form 5500 Series) filed by the Plan with the U.S. Department of Labor and available at the Public Disclosure room of the Employee Benefits Security Administration.
* Obtain, upon written request to the Fund Office, copies of documents governing the operation of the Plan and collective bargaining agreements and copies of the latest annual report (Form 5500 Series) and updated summary plan description. The plan administrator may make a reasonable charge for the copies.
* Receive a summary of the Plan’s annual financial report. The Plan Administrator is required by law to furnish each Participant with a copy of this summary annual report.
* Obtain a statement telling you whether you have a right to receive a pension at Normal Retirement Age (age 65) and, if so, what your benefits would be at Normal Retirement Age if you stop working under the Plan now. If you do not have a right to a pension, the statement will tell you how many more years you have to work to get a right to a pension. This statement must be requested in writing and is not required to be given more than once every 12 months. The Plan must provide the statement free of charge.

**Prudent Actions by Plan Fiduciaries**

In addition to creating rights for Plan Participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefits plan. The people who operate your Plan, called “fiduciaries” of the Plan, have a duty to do so prudently and in the interest of you and other Plan Participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a pension benefit or exercising your rights under ERISA.

**Enforce Your Rights**

If your claim for a pension benefit is denied or ignored, in whole or in part, you have the right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan and do not receive them within thirty (30) days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to $110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Administrator.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the Plan’s decision or lack thereof concerning the qualified status of a domestic relations order, you may file suit in federal court. If it should happen that Plan fiduciaries misuse the Plan’s money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor or you may file suit in a federal court.

**Assistance With Your Questions**

If you have any questions about the Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you should contact the neatest office of the Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, DC 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the Publications hotline of the Employee Benefits Security Administration toll-free at 1-866-444-3271 or visiting EBSA’s website at http://www.dol .gov/ebsa.

**Administrative Information**

Normally, the Fund Office should be able to help you resolve any problem you might have about your rights to benefits. The Fund Office phone number is

(212) 726-9730. All Plan documents and other related information are available if you wish to study materials.

If for some reason, it becomes necessary to contact the Department of Labor, you will need the following information to properly identify your Plan.

Name of Plan Local 272 Labor-Management Pension Fund

Type of Plan Defined Benefit Pension Plan

Employer ID Number 13-5673836

Plan Number 001

Agent for Service of Legal Process Plan Administrator or the Fund Manager

Board of Trustees Union Trustees

 Fred Alston

 Local 272

 220 East 23rd Street, Room 801

 New York, NY 10010

 Matthew Bruccoleri

 Local 272

 220 East 23rd Street, Room 801

 New York, NY 10010

Joseph Mattesi

 Local 272

 220 East 23rd Street, Room 801

 New York, NY 10010

 Employer Trustees

 Gordon Hamm

 Garage Management Corporation

 124 East 63rd Street

 New York, NY 10021

 Kenneth Rosenblatt

 Champion Parking

 655 Third Avenue

 New York, NY 10017

 Lance Howard

 Little Man Parking

 292 Fifth Avenue

 New York, NY 10001

Plan Year December 1 Through November 30

If there is any discrepancy with this summary of your Pension Plan and the actual Pension Plan documents, then the Pension Plan documents are the documents that control any decision made by the Trustees.

Si necesita ayuda en español, póngase en contacto con la Oficina de Fondos.