

# NATIONAL ELEVATOR INDUSTRY PENSION PLAN

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December 2019

To: All Participants in the National Elevator Industry Pension Plan, IUEC Locals and Regional Directors

From: Robert O. Betts, Jr.  
Executive Director for the Board of Trustees

This Summary of Material Modifications incorporates changes to the provisions of the Summary Plan Description relating to:

- The Plan's initial participation rule; and
- The Plan's definition of Disqualifying Employment.

It also describes a new Elevator Consultant Waiver Program within the Geographic Jurisdiction of IUEC Local 1—a temporary suspension waiver program that allows eligible retirees to work as Elevator Consultants within the geographic jurisdiction of IUEC Local 1 and continue receiving their monthly pension benefit.

## Participation

1. In "HIGHLIGHTS OF THE PLAN" table on page 6 of the SPD, the first row ("Beginning Work") is replaced with the following:

<b>Initial Participation</b>	<ul style="list-style-type: none"><li>▪ <b>Probationary Apprentices:</b> Generally, if you are a Probationary Apprentice under the Collective Bargaining Agreement, you will become a participant in the Plan on the first day of the calendar month after you have completed at least 100 hours in each of 6 30-day periods as measured from your initial date of hire ("Industry Date"). The 6 30-day periods do not have to be consecutive; however, if you fail to become a Participant within 18 months of your Industry Date and then reenter the industry as a Probationary Apprentice, only those hours worked after your reentry date will be taken into account for determining whether you have completed at least 100 hours in each of 6 30-day periods.  If you do not meet the hours requirement above, but complete 1,000 hours within any 12 consecutive month period, you will become a participant on the first day of the calendar month following such 12 consecutive month period.</li><li>▪ <b>Other Collectively Bargained Employees:</b> If you are a Collectively Bargained Employee other than a Probationary Apprentice, you will become a Participant of the Plan upon working in Covered Employment.</li><li>▪ <b>Employees Covered by a Participation Agreement:</b> If you are covered by a Participation Agreement, you will become a Participant upon satisfying the initial participation requirements set forth in the applicable Participation Agreement.</li></ul>
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2. The provisions of "Participation in the Plan" on page 9 of the SPD that precede "General Alumni Participation" are amended as follows:

### **FAST FACTS**

- **If you are a Collectively Bargained Employee other than Probationary Apprentice, you participate in the Plan upon working in Covered Employment.**
- **Generally, if you are a Probationary Apprentice, you will participate in the Plan on the first day of the calendar month after you have completed at least 100 hours in each of 6 30-day periods.**

- **If your participation in the Plan is governed by a Participation Agreement, you will participate in the Plan once you satisfy the initial participation requirements of your Employer’s Participation Agreement with the Trustees.**

**REQUIREMENTS FOR PARTICIPATION**

When you become a participant in the Plan depends on whether you are a Probationary Apprentice, other Collectively Bargained Employee working in Covered Employment, or an Employee whose participation is governed by his or her Employer’s Participation Agreement with the Trustees:

- If you are a Probationary Apprentice, as that term is defined in the Collective Bargaining Agreement, you will become a participant in the Plan on the first day of the calendar month after you have completed at least 100 hours in each of six (6) 30-day periods as measured from your initial date of hire (your “Industry Date”). The six (6) 30-day periods do not have to be consecutive; however, if you fail to become a participant within 18 months of your Industry Date and later reenter the industry as a Probationary Apprentice, you will have your initial eligibility determined based on your reentry Industry Date, and only those hours you work after such reentry date will be taken into account for determining whether you have completed at least 100 hours in each of six (6) 30-day periods.

If you do not meet the hours requirement above, but complete 1,000 hours within any 12 consecutive month period, you will become a participant on the first day of the calendar month following such 12 consecutive month period.

- If you are a Collectively Bargained Employee other than a Probationary Apprentice, you will become a participant in the Plan once you complete an Hour of Work in Covered Employment.
- The Trustees have established special rules for the participation of certain employees who are not covered by a Collective Bargaining Agreement, including:
  - Employees of Local Unions of the IUEC, the Elevator Industry Work Preservation Fund, the National Elevator Industry Educational Plan, and other organizations, and
  - Owners who perform bargaining unit work, former bargaining unit employees and other non-collectively bargained employees of Employers signatory to Collective Bargaining Agreements with the Union.

These special participation rules are set forth in “Employer Guidelines” booklets and in the Employer’s Participation Agreement with the Trustees. If your participation in the Plan is not governed by a Collective Bargaining Agreement, you will become a Participant of the Plan once you complete the initial participation requirements set forth in your Employer’s Participation Agreement with the Trustees and the Employer Guideline booklets. You can obtain a copy of the Employer Guidelines booklet applicable to your employer by contacting the Benefits Office at 1 (800) 523-4702.

**Disqualifying Employment**

On page 34 of the SPD the text box “Disqualifying Employment” is deleted and the provisions of “IF YOU RETURN TO WORK AFTER RETIREMENT” that precede “If You Take a Job in Disqualifying Employment” are amended as follows:

**IF YOU RETURN TO WORK AFTER RETIREMENT**

You are expected to retire from the elevator industry to receive you pension. Working in the elevator industry (*i.e.* engaging in Disqualifying Employment) after your pension starts may cause your monthly pension benefit to be suspended as explained below.

**Disqualifying Employment**

Disqualifying Employment before Age 65

For the period before your 65<sup>th</sup> birthday (*i.e.*, before Normal Retirement Age), Disqualifying Employment is: (1) any work of the type covered by the trade or craft jurisdiction of the Union, including supervisory work, either for a person, firm or corporation, or (2) employment or self-employment in *any category of work in the elevator industry*. However, you will not be considered to be employed in the elevator industry if you are employed *solely* as an elevator inspector

and perform no work of the type which is Covered Employment under this Plan, or if you are an instructor and/or part-time administrator for the National Elevator Industry Educational Plan.

#### Disqualifying Employment at Age 65

Once you are age 65 (*i.e.*, upon attaining Normal Retirement Age), Disqualifying Employment is employment or self-employment in an industry covered by the Plan, in the geographic area covered by the Plan, and in any trade or craft jurisdiction of the Union, including supervisory work, determined at the time your pension payments began as described below.

- The term “industry covered by the Plan” means the elevator industry and any other industry in which Employees covered by the Plan were employed when your pension began or, but for suspension, would have begun. However, you will not be considered to be employed in an industry covered by the Plan if you are employed solely as an elevator inspector and perform no work of the type which is Covered Employment under this Plan or if you are an instructor and/or part-time administrator for the National Elevator Industry Education Program.
- The term “trade or craft” means: (a) a skill or skills, learned during a significant period of training or practice, which is applicable in occupations in the elevator industry, or (b) supervisory activities relating to a skill or skills described in (a).
- The term “geographic area covered by the Plan” means any state of the United States in which contributions were required to be made by or on behalf of any Employer, plus the remainder of any standard metropolitan statistical area which falls in part within such state, and any other area covered by the Plan when your pension began or, but for suspension, would have begun.

#### Local 1 Elevator Consultant Program

The Trustees have established a temporary program effective January 1, 2020 that temporarily suspends the application of the Plan’s Disqualifying Employment provisions to retirees who work as elevator consultants within IUEC Local 1’s geographic jurisdiction (the “Local 1 Elevator Consultant Program”). Under the Local 1 Elevator Consultant Program, a retiree can continue receiving his or her monthly pension benefit while working as an Elevator Consultant at an Elevator Consulting Firm solely with respect to projects within the geographic jurisdiction of IUEC Local 1. The Local 1 Elevator Consultant Program expires on the *later* of: (a) December 31, 2022 or (b) if the retiree had already enrolled in the program, 12 months after the effective date of the retiree’s enrollment.

If you retired prior to October 1, 2019, you can enroll in the Local 1 Elevator Consultant Program as early as January 1, 2020, but if you retire on or after October 1, 2019, you may enroll in the program no earlier than 6 months after your Effective Date of pension. To be eligible for this suspension of the Plan’s Disqualifying Employment provisions, you must enroll in the Local 1 Elevator Consultant Program and comply with the rules of the Program as set forth in the Local 1 Elevator Consultant Program Agreement. To enroll in the Local 1 Elevator Consultant Program, you must:

- Complete the Local 1 Elevator Consultant Program Enrollment Request Form, and
- Enter into the Local 1 Elevator Consultant Program Agreement attached to this Enrollment Request Form.

These documents describe the specific rules for the Local 1 Elevator Consultant Program, including definitions for the terms “Elevator Consultant” and “Elevator Consulting Firm.” The Local 1 Elevator Consultant Program Enrollment Request Form and Agreement may be downloaded online at [www.neibenefits.org/members/pension-plan/](http://www.neibenefits.org/members/pension-plan/). For more information regarding the Local 1 Elevator Consultant Program, or to request a free paper copy of the Request Form and Agreement, please contact the Benefits Office at 1 (800) 523-4702.