



**CENTRAL STATES
SOUTHEAST AND
SOUTHWEST AREAS
HEALTH AND WELFARE AND PENSION FUNDS**

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EXECUTIVE DIRECTOR
THOMAS C. NYHAN

2009 – SPECIAL BULLETIN – 2009-03

DATE: AUGUST 2009

TO: ALL LOCAL UNIONS WITH PARTICIPANTS IN THE PENSION FUND

RE: NEW EXEMPTION OF REEMPLOYMENT RULES FOR QUALIFIED POST-AGE 65 RETIREES

Effective immediately, the Trustees have approved a change to the reemployment rules which exempts qualified age 65 or older retirees from the Pension Fund's reemployment rules and allows them to work in any position for an unlimited number of hours.

To qualify for the post-age 65 exemption to the reemployment rules, an age 65 or older retiree must meet two conditions:

- (1) the retiree must have been retired and receiving a pension benefit for at least 12 months, and
- (2) the retiree must not have worked in any "Restricted Reemployment" for at least 12 consecutive months *immediately preceding* age 65 (or if retirement date is after 65, 12 consecutive months immediately preceding the retirement date).

Retirees who meet both conditions can work in any position for an unlimited number of hours and continue to receive their monthly pension benefit. The following examples provide general guidance on the application of the new post-age 65 exemption:

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| (A) Jerry retires at age 63 from a Contributing Employer. At age 65 he returns to work for a Contributing Employer. | Jerry has met both conditions and he can continue to work and draw his pension at age 65. |
| (B) Steve retires from a Contributing Employer at age 61. At age 63, Steve takes employment that is considered "Restricted Re-employment" and he continues to work in that position beyond age 65. | Although Steve has been retired and receiving a pension benefit for at least 12 months, he is not eligible for the post-age 65 exemption because he does not have a 12 consecutive month period immediately preceding age 65 during which he was not in "Restricted Reemployment". |

(C) Mike retires from a Contributing Employer at age 63. He immediately takes a job which is considered "Restricted Reemployment" and he continues in that job past age 65.

Although Mike has been retired and receiving a pension benefit for at least 12 months, he is not eligible for the post-age 65 exemption because he does not have a 12 consecutive month period immediately preceding age 65 during which he was not in "Restricted Reemployment".

(D) Sally retires at age 65. At age 66 she decides to return to work for a Contributing Employer.

Sally has met both conditions and she can continue to draw her pension.

These examples are only meant to provide general guidance as to the application of the post-age 65 reemployment exemption. All other age 65 or later reemployment rules remain unchanged. Please contact your Field Service Representative or the Pension Department for any questions concerning how this new rule applies to a specific reemployment situation.

A summary of the Restricted Reemployment Rules including the new post-age 65 exemption is provided with this Bulletin.

Sincerely,

BOARD OF TRUSTEES, CENTRAL STATES, SOUTHEAST
AND SOUTHWEST AREAS PENSION FUND, BY:

A handwritten signature in black ink, appearing to read "T.C. Nyhan", written in a cursive style.

THOMAS C. NYHAN
EXECUTIVE DIRECTOR

RESTRICTED REEMPLOYMENT RULES – AUGUST 2009

The following types of reemployment are restricted. You may work in Restricted Reemployment up to the number of hours indicated per month for your current age and continue to receive your pension provided the work does not fall into another Restricted Reemployment category. **You may work an unlimited number of hours in any employment that is not Restricted Reemployment.**

Maximum Permissible Hours of Reemployment Per Month

		Under Age 57	Age 57 - 59	Age 60 - 64	Age 65 and Over	
I. Work Inside Core Teamster Industries	Work in any position (or supervising any position) in the following Core Teamster Industries, either in a Union or non-Union capacity, is Restricted Reemployment:	0	0	0	Unlimited if: 1) you have been retired and receiving a pension benefit for at least 12 months, and 2) you have not worked in any "Restricted Reemployment" for at least 12 consecutive months immediately preceding age 65.* **Otherwise, 40 hours/month	
	<ul style="list-style-type: none"> • Trucking and Freight • Small Package and Parcel Delivery • Car Haul • Tank Haul • Warehouse • Food Processing or Distribution (including Grocery, Dairy, Bakery, Brewery and Soft Drink) • Building Material and Construction 					
II. Work Outside Core Teamster Industries	Work outside of Core Teamster Industries is Restricted Reemployment if the work falls into any of the following categories:				Unlimited if: 1) you have been retired and receiving a pension benefit for at least 12 months, and 2) you have not worked in any "Restricted Reemployment" for at least 12 consecutive months immediately preceding age 65.* **Otherwise, 40 hours/month	
	<ul style="list-style-type: none"> • Work for a Contributing or former Contributing Employer; or 	0	0	0		
	<ul style="list-style-type: none"> • Work in any position (or supervising any position) that is covered by a Teamster Contract with the employer; or 	0	0	0		Unlimited
	<ul style="list-style-type: none"> • Work in any position in the same Industry in which you earned Contributory Credit with the Pension Fund; or 	0	80	Unlimited		Unlimited
	<ul style="list-style-type: none"> • Work in any position in the same job classification as other Fund Participants within a 100-mile radius. 	0	80	Unlimited	Unlimited	

Governmental Employment Exception: You may work an unlimited number of hours for a governmental agency provided the agency is not a Contributing Employer or a former Contributing Employer.

Newly Organized Company Exception: A Retiree who is engaged in employment that is not Restricted Reemployment, but that subsequently becomes organized by a Teamster Local Union, will be allowed to continue his employment without benefit suspension.

Previous Reemployment Rules Exception: If the application of these rules results in a Retiree being found to be in Restricted Reemployment based on employment that would not have been prohibited under reemployment rules in effect before January 1, 2004, the Fund will treat the position as **not** being Restricted Reemployment.

* If retirement date is after age 65, 12 consecutive months immediately preceding the retirement date.

** If Retiree does not meet the above 12 month requirement, Reemployment is limited to 40 hours unless the reemployment is not in the same trade or craft worked in while covered by the Pension Fund or the reemployment is outside the geographical area covered by the Fund; if either is the case, an unlimited number of hours can be worked.