## SUMMARY OF MATERIAL MODIFICATION TO THE PLAN OF BENEFITS

## OF

## ROOFERS LOCAL NO. 74/NO. 203 PENSION FUND

(June 14, 2013)

- 1. <u>General</u>. This is a summary of material modification regarding the Plan of Benefits, Roofers Local No. 74/No. 203 Pension Fund (the "Plan"). This summary of material modification supplements the Summary Plan Description (the "SPD") previously provided to you. You should retain this document with your copy of the SPD.
- 2. <u>Sponsor Information</u>. The legal name, address and federal employer identification number of the Sponsor are:

Board of Trustees Roofers Local No. 74/No. 203 Pension Fund 2800 Clinton Street West Seneca, New York 14224 (716) 828-0488 or (800) 905-0904

EIN: 16-6062398

3. <u>Summary Description of Clarification</u>. The Board of Trustees wishes to clarify provisions of the Summary Plan Description dealing with a Disability Retirement Benefit so as to be consistent with the Plan of Benefits.

In order to be entitled to a Disability Retirement Benefit, your disability must occur while working in Covered Employment under the Plan, or while you are available for Covered Employment. Covered Employment is employment under the collective bargaining agreement.

## **Disability Retirement**

Regardless of your age, if you become Totally and Permanently Disabled, you may retire, provided:

- you have not yet attained Normal Retirement Age;
- you have completed at least five (5) years of Continuous Service.

Your Disability Retirement Benefit will be equal to the greater of:

- sixty (\$60.00) dollars per month; or
- your total Accrued Benefit as of your Disability Retirement Date.

Your benefit payments will begin no earlier than: (1) the date of entitlement listed by Social Security or (2) twelve (12) months prior to the date of your filing of a complete application for benefits. Your application for a Disability Retirement Benefit is considered complete only when accompanied by a Social Security Disability award letter.

"Total and Permanent Disability" means a physical or mental condition resulting from bodily injury, disease, or mental disorder arising while employed by an Employer or while eligible for work with an Employer, which renders you incapable of continuing any gainful occupation and which condition constitutes total disability under the Federal Social Security Acts. The Trustees are not be bound by the Social Security determination and reserve the right to require you to submit to an examination by a physician of the Trustees selection for determination of the question of Total and Permanent Disability.

This notice also constitutes your summary of material modifications as required by section 104(b) of ERISA and should be kept with your copy of the Plan's summary plan description and other important plan documents.