

GRAPHIC ARTS INDUSTRY JOINT PENSION TRUST

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March 26, 2019

Important Notice to Participants of the Graphic Arts Industry Joint Pension Trust

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FUND ADMINISTRATOR

Angela Alvey

This notice describes certain changes made to the Graphic Arts Industry Joint Pension Plan (the "Plan") regarding (1) initial determination of eligibility for a Disability Pension, (2) persons who begin receiving an Early Retirement Pension while also making application for a Disability Pension, (3) the claim filing and appeal procedure for a Disability Pension, and (4) an updated list of the current Trustees. The following sections describe changes to the Plan's Summary Plan Description ("SPD"), and you should keep this notice with your copy of the SPD.

Disability Pension—Proof of Disability—SPD Page 6

Proof of Disability. The Trustees of the Plan have clarified the basis for the initial determination of eligibility for a Disability Pension as found on pages 6-7 of your SPD effective as of April 2, 2018. The Trustees determine whether a Participant is Totally and Permanently Disabled for the purpose of eligibility for a Disability Pension on the basis of medical evidence and other evidence that the Trustees determine is important. The Trustees will accept the determination by the Social Security Administration that the Participant is entitled to a Disability Insurance Benefit under the federal Social Security Act as the exclusive basis for the initial determination of a Participant's Total and Permanent Disability. If a Participant's Disability Pension application is denied because the Participant has not received a Social Security award, the Participant can appeal that decision. A Participant may submit additional information as evidence that the individual's physical or mental impairment or impairments are of such severity that he or she is unable to do any work, considering his or her age, education and work experience, which is expected to provide a comparable standard of living to his Covered Employment in the graphic arts industry regardless of whether such work exists in the immediate area in which he or she lives, or whether he or she would be hired if he or she applied for such work. The Trustees shall be the sole and final judges of Total and Permanent Disability and the decision of the Trustees shall be based upon medical examination by a doctor or clinic appointed by the Trustees, medical examination and statement by the Participant's own physician, or other medical evidence satisfactory to the Trustees.

When the Trustees rely on a determination by the Social Security Administration that the Participant is entitled to a Disability Insurance Benefit under the federal Social Security Act, the payment of the Disability Pension under the Plan is retroactive to the effective date of the Social Security Disability Insurance Benefit. However, the Plan will not pay for a retroactive period greater than 24 months from the date of the Participant's application to the Plan, unless the Trustees, in their discretion, find that the Participant was unable to make timely filing because of incompetence or other extenuating circumstances.

- **EXAMPLE:** Sylvia terminated Covered Employment January 15, 2013 on account of Total and Permanent Disability. On August 1, 2013, Social Security determines that her date of disability for the purpose of paying her a Social Security Disability Insurance Benefit is February 1, 2013. If Sylvia applies to the Plan for a Disability Pension before July 1, 2015, her Disability Pension will be effective July 1, 2013, which is the first day of the month following the five-month period of disability (assuming she has met the eligibility requirements and is not collecting accident and sickness benefits from her employer that delay the Effective Date of her Disability Pension). However, if Sylvia delays applying for her Disability Pension from the Plan until after June 2015, her Effective Date will be delayed since the Effective Date cannot be more than 24 months before application to the Plan. For example, if she applies on December 31, 2015, her Disability Pension Effective Date will be January 1, 2014.

When the Trustees award a Disability Pension without relying on a Social Security Administration determination, the Disability Pension Effective Date is first day of the month following the five-month period of Total and Permanent Disability as determined by the Trustees in consultation, as appropriate, with a medical professional who reviewed the records (assuming the participant has met the eligibility requirements and is not collecting accident and sickness benefits from her employer that delay the effective date of her Disability Pension). Again, however, the date cannot be more than 24 months prior to the date the Participant made application to the Plan for a Disability Pension. A Participant who is applying to the Social Security Administration for a Disability Insurance Benefit is encouraged to apply to the Plan at the same time or as soon as possible in order to avoid any delay in the Plan's Disability Pension Effective Date.

Conversion of Early Retirement to Disability Pension—SPD Page 8

Effective as of February 13, 2018, if you apply for an Early Retirement Pension and a Disability Pension at the same time and later qualify for a Disability Pension because your Covered Employment terminated on account of Total and Permanent Disability, you can apply to have your Early Retirement Pension converted to a Disability Pension beginning as of the first of the month following the date that the Plan Office receives evidence that your Disability Pension is approved and you have completed the required election forms.

Because the amount of the Disability Pension is the same as the amount of your Normal Retirement Pension, it may be larger than your Early Retirement Pension. In the event it is larger than your Early Retirement Pension, you may elect to receive your monthly benefit in different payment forms as follows (Note: if the Early Retirement Pension is the same or larger, you will continue to receive the amount of the Early Retirement Pension even if you are eligible for a Disability Pension):

- The monthly amount that equals your Early Retirement Pension will continue to be paid in the same payment form that you previously elected.
- You will be allowed to make a separate form of payment election for the difference between your monthly Early Retirement Pension that you have been receiving and the amount of the monthly Disability Pension that is awarded, from the benefit forms available for a Disability Pension (Single Life Annuity and 50% Spouse Joint and Survivor Annuity).

The following example describes how the payment would be made if the Disability Pension is larger than the Early Retirement Pension:

Example:

Pat is eligible for an unreduced monthly benefit at age 65 in the amount of \$1,000.

Pat terminated Covered Employment early in January 2018, at age 60, and elected to begin receiving an Early Retirement Pension as a Single Life Annuity in the amount of \$600 per month effective February 1, 2018.

In August 2018, Pat applies for and is awarded a Disability Pension benefit in the amount of \$1,000 based on her Total and Permanent Disability when her Covered Employment terminated. Since the Disability Pension has a five-month waiting period before payments begin, the Disability Pension effective date is the first day of the month following five-months of Total and Permanent Disability, which is July 1, 2018.

Pat's Disability Pension monthly benefit amount is \$1,000. Pat will continue to receive \$600 each month as a Single Life Annuity as she elected previously. Pat elects to receive the additional amount of \$400 (the difference between her Early Retirement Pension and the monthly benefit amount she was awarded under the Disability Pension) as a 50% Spouse Joint and Survivor Annuity for the period beginning July 1, 2018. The \$400 benefit is subject to a Spouse Joint and Survivor Annuity reduction. Pat's spouse is the same age; therefore her \$400 monthly benefit is reduced to 73.77% to \$295.08 and her total monthly benefit is \$895.08. If Pat dies and is survived by her spouse, her spouse will receive \$147.54 per month that is, 50% of \$295.08.

Pat's Disability Pension Effective July 1, 2018:	\$1,000.00
Pat's Early Retirement Pension Effective February 1, 2018 (age 60) (SLA):	<u>– \$600.00</u>
Difference between Disability Pension and Early Retirement Pension	\$400.00
50% Joint and Survivor Factor:	<u>X .7377</u>
Disability Pension:	\$295.08
Pat's Total Monthly Benefit on July 1, 2018:	\$895.08

A new section is added starting on page 23 of the SPD describing the appeal process for Disability Pensions as of April 1, 2018 and the heading on page 22 is changed to Appeal of Initial Decision – Non-Disability Pensions.

Appeal of Initial Determination -- Disability Pension—SPD Page 23

How to Request a Review of a Denial. If you are a Disability Pension applicant and want to appeal to the Board of Trustees to review the adverse benefit determination denying the Disability Pension claim in whole or in part, you must send a written request for review to the Plan Office no later than 180 days after the date the initial notice of denial is sent to you by the Plan Office. Unlike the initial decision on a Disability Pension application, which relies solely on the Social Security

Administration's determination for establishing that an eligible applicant is Totally and Permanently Disabled, the Board of Trustees on review will also consider relevant medical, vocational or similar evidence to determine if an applicant satisfies the Plan's disability standard. You may authorize a representative in writing to act on your behalf. Any written request for review must include your reason for disagreeing with the initial decision and your name, address, social security number and Participating Local. Any applicant filing a timely request for review may also:

1. submit additional materials for consideration by the Trustees including a written explanation of the issues and comments on the issues which the you want to be considered by the Trustees in the review of the initial decision, and
2. review or request all relevant information (free of charge) upon reasonable request to the Trustees. A document, record or other information is relevant if:
 - (a) it was relied upon by the Trustees in making the decision;
 - (b) it was submitted, considered or generated (regardless of whether it was relied upon); or
 - (c) it demonstrates compliance with the claims processing requirements.

Full and Fair Review on Appeal. The Trustees' review shall consider all comments, documents, records and other information submitted, regardless of whether such information was submitted or considered in the initial determination. In the course of the Trustees' review, you will be provided, free of charge, with (A) any new or additional evidence considered, relied upon, or generated in connection with the claim by the Plan or the Trustees, or (B) any new or additional rationale relied upon in connection with the claim. This new or additional evidence or rationale shall be provided as soon as possible and sufficiently in advance of the Trustees' final decision in order to give you a reasonable opportunity to respond.

The review on appeal will not defer to the initial adverse benefit determination, which relies solely on the Social Security Administration's determination for establishing that an eligible applicant is disabled. The Board of Trustees or Pension Appeal Committee will consider additional information including relevant medical, vocational or similar evidence to determine if an eligible applicant satisfies the Plan's disability standard. If the benefit determination is based in whole or in part on a medical judgment, the Plan will consult with a health care professional who has appropriate training and experience in the field of medicine involved in the medical judgment. Upon request, the applicant will be provided with the identification of the medical or vocational experts whose advice was obtained on behalf of the Plan in connection with the applicant's adverse benefit determination, without regard to whether the advice was relied upon in making the benefit determination. The health care professional will not be the same professional who was consulted in connection with the initial adverse benefit determination, nor the subordinate of any such individual. A health care professional is a physician or other health care professional licensed, accredited or certified to perform specified health services consistent with state law.

Time Limits on Appeal. The Trustees or Pension Appeal Committee will make a determination on appeals received since the prior meeting at their next quarterly meeting, provided any appeal filed within the 30-day period preceding a meeting shall be decided at the next following quarterly meeting. If special circumstances require a delay in the decision, the decision shall be

rendered no later than the third quarterly meeting following receipt of the appeal, and the Plan Office shall notify the applicant of the reasons for the delay prior to the extension. The Plan shall notify the applicant of the Trustees' final benefit determination within 5 days of the date the decision is made.

Content of Notice of Adverse Benefit Determination on Appeal. The Trustees' written decision on a Disability Pension appeal will:

- [a] contain the specific reason or reasons for the decision;
- [b] refer to specific Plan provisions on which the decision is based;
- [c] notify the applicant of his or her right to access and copy upon request (free of charge) all documents, records and other information relevant to the claim;
- [d] include a discussion of the decision, including an explanation of the basis for disagreeing with or not following: [i] the views of a health care professional or vocational professional who treated or evaluated the claimant; [ii] a medical or vocational expert whose advice was solicited by the Plan in connection with the claim; and [iii] a disability determination made by the Social Security Administration;
- [e] contain copies of any internal rule, guideline, protocol or similar criteria relied on by the Trustees, or a statement that no such rule, guideline, protocol or similar criteria was considered;
- [f] state that the claimant may receive, free of charge upon request, an explanation of the scientific or clinical judgment for the determination, applying the terms of the Plan to the claimant's medical circumstances, if the Plan's decision is based on a medical necessity, experimental treatment, or similar exclusion or limitation;
- [g] notify the applicant of the right to bring a civil action under section 502(a) of ERISA and the time limits for doing so.

The decision of the Board of Trustees regarding the appeal is the final decision of the Joint Pension Plan and shall be binding unless determined to be arbitrary or capricious by a court having jurisdiction over such matter. The Plan's rules do not provide for further consideration or review of that decision by the Board of Trustees or their representatives. No action may be filed in state or federal court by a Participant or beneficiary until the claimant has exhausted all remedies under the Plan's claims filing and appeals procedure. **Any suit filed in state or federal court on a Participant's or beneficiary's behalf must be filed within 12 months of the date the Participant has received a final benefit determination from the Plan on appeal.**

Current Trustees – SPD Page ii

The following is a list of the current Trustees of the Graphic Arts Industry Joint Pension Trust:

Employer Trustees

Co-Chairman
Donald J. Treis
GAI JPT
25 Louisiana Avenue N.W.
Washington, DC 20001

Mark Brothers
Senior Vice President Human Resources
RR Donnelly
4101 Winfield Rd
Warrenville IL 60555

Edwin Cockrell
Corporate Controller
Tension Envelope Corporation
819 East 19th Street
Kansas City, MO 64108

Ed Engle
President
Ambassador Press
1400 Washington Avenue North
Minneapolis, MN 55411

Cristi Wisniewski
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N82 W13118 Leon Road
Menomonee Falls, WI 53051-3328

Union Trustees

Co-Chairman
Marty L. Hallberg, President
GCC/IBT Local 1B
678 Transfer Rd. Ste B
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Kurt Freeman, Secretary-Treasurer
GCC/IBT
25 Louisiana Avenue N.W.
Washington, DC 20001

Perry Kettner
President
GCC/IBT Local 577M
633 South Hawley Road, Suite 100
Milwaukee, WI 53214

Steven W. Nobles
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GCC/IBT Local 2/289M
1140 East Nine Mile Road
Warren, MI 48089

William Tull
President
GCC/IBT Local 285M
6210 North Capitol Street, N.W.
Washington, DC 20011-1487

This notice is a Summary of Material Modification (SMM) as required by section 104(b) of ERISA describing changes in the Graphic Arts Industry Joint Pension Trust Plan Document ("the Plan"). You should read this SMM carefully, share it with your family and save it with your Summary Plan Description (SPD). If you have any questions concerning this SMM or your Plan, or need information on applying for a pension, please contact the Plan Office.

Yours very truly,

Board of Trustees of the
Graphic Arts Industry Joint Pension Trust