

**Food Employers Labor Relations Association
and United Food & Commercial Workers
Pension Fund**

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May 2021

Summary of Material Modifications

This Insert is a Summary of Material Modifications (changes) to your Summary Plan Description booklet. If there is any discrepancy between the terms of the Plan or any amendments and this document, the provisions of the Plan, as amended, will control.

- **Effective January 1, 2021, the last sentence of the second paragraph in the “Commencement of Benefits” subsection on page 39 of your SPD is replaced with the following sentence:**

You may elect to defer the commencement of benefits; however, benefit payments must begin by April 1 of the calendar year following the later of: (1) the calendar year in which you attain age 72; or (2) the calendar year in which you terminate Covered Employment.

- **Effective December 31, 2020 – Notice of Benefit Changes Due to Plan Termination**
The Food Employers Labor Relations Association and United Food and Commercial Workers Pension Fund (“Fund”) terminated as a result of the withdrawal of all participating employers. While participants will not accrue any future benefits under the Fund, this termination does not impact benefit accruals earned under the Food Employers Labor Relations Association and United Food and Commercial Workers Pension Plan (“Plan”) as of December 31, 2020. However, as a result of the termination, the Fund is required to implement the following changes to the forms of benefits available under the Plan. All capitalized terms in this Notice have the same meaning as provided in the Plan.
 1. **Effective January 1, 2021, the Death Benefit under the Plan will not be payable on behalf of any participant who dies after December 31, 2020**
 2. **Effective January 1, 2021, a Disability Pension under the Plan will not be payable unless, as of December 31, 2020, the Participant: (a) has at least ten (10) years of Benefit Service; (b) terminated Covered Employment and (c) was Totally and Permanently Disabled at his termination of covered Employment.**

- **Effective December 31, 2020, the second paragraph in the “Pre-Retirement Spouse’s Pension” subsection on page 36 of your SPD is replaced with the following paragraph:**

If your death occurs after you have met the requirements to start receiving a pension under the Plan, your Spouse's pension will be payable immediately following your death; otherwise, it will be payable beginning at the age when you would have met the requirements for an immediate pension. Payments to your spouse may be deferred if your spouse so requests. However, they cannot defer payment past the later of: (1) December 31st of the calendar year immediately following the calendar year in which you died; or (2) December 31st of the calendar year in which you would have attained age 72, if you would have reached age 70½ on or after January 1, 2020. If payments are deferred, the amount of the benefit will be actuarially adjusted to reflect the later age of the Spouse at the time the benefit commences.

- **Effective April 1, 2018 – Disability Benefits**

1. Effective for claims filed on or after April 1, 2018, the following language is added at the end of the Denial of a Claim subsection of the Claims Filing and Appeals Procedures section, page 46 of your Summary Plan Description ("SPD") booklet:

If your claim for disability benefits is denied based on a determination by the Fund, and not by a third party acting independently of the Fund such as the Social Security Administration (SSA), that you are not disabled under the Plan rules, the Fund will notify you of your additional rights in the denial letter.

2. Effective for claims filed on or after April 1, 2018, the following language is added at the end of the Claims Filing and Appeals Procedures section of your SPD on page 48:

If your appeal for disability benefits is denied based on a determination by the Fund, and not by a third party acting independently of the Fund such as the Social Security Administration (SSA), that you are not disabled under the Plan rules, the Fund will notify you of your additional rights in the appeal denial letter.

- **Effective April 1, 2017, the Landover Fund Office relocated to the following address:**

Fund Office
8400 Corporate Drive, Suite 430
Landover, MD 20785

All phone and fax numbers remain the same. Participant Services is still toll-free (800) 638-2972.