

# Western States Office and Professional Employees Pension Fund

[Name]

[Address]

[Address1]

## APRA UPDATE NOTICE REINSTATEMENT OF MPRA BENEFIT SUSPENSIONS

October 21, 2022

Subject: American Rescue Plan Act of 2021 (“APRA”) Filing Update

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This Notice provides an update on the Plan’s **American Rescue Plan Act of 2021** (“ARPA”) application process.<sup>1</sup> Please note the following:

- Previous ARPA Notices (including Questions and Answers) are available from the Plan Office or at the Plan’s website: [www.wspensionbenefits.org](http://www.wspensionbenefits.org).
- All monthly benefit payments suspended under MPRA will be reinstated for all participants in pay status starting **November 1, 2022**.<sup>2</sup> The reinstatement of monthly benefits also applies to participants who enter pay status after November 1, 2022. The term “participants” includes retirees, surviving spouses and alternate payees under QDROs.<sup>3</sup>
- **NO ACTION IS REQUIRED ON YOUR PART.** The reinstatement is automatic and will be included in your monthly benefit payments starting November 1, 2022.
- This reinstatement of suspended benefits applies only to monthly benefit payments starting November 1, 2022. MPRA benefit suspensions went into effective October 1, 2018. **Lump sum payments to cover prior MPRA benefit suspensions will be made after the Plan receives SFA funding. You will receive a separate notice when lump sum payments are made.**
- Included with this notice are the following pages:
  - A statement showing when your benefit was suspended, as well as the amount of your monthly benefit before and after the reinstatement; and
  - Additional information required under ARPA.
- The Plan has not filed an SFA application at this time. You will be notified when the application is filed. The restoration of benefits suspended under MPRA prior to filing is authorized under APRA.

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<sup>1</sup> ARPA was signed into law in March 2021.

<sup>2</sup> “MPRA” refers to the Multiemployer Pension Reform Act of 2014. Information about the MPRA benefit cuts is available on the Plan’s website.

<sup>3</sup> A “QDRO” is a qualified domestic relations order that assigns retirement benefits to a former spouse.

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## BENEFIT STATEMENT UPDATE

Please review the following information regarding your reinstated monthly benefit:

Effective date: **November 1, 2022.** MPRA benefit suspensions will be reinstated starting November 1, 2022.

Participant name: [participant name]

Your monthly benefit  
Starting 11/1/2022: \$[11/1/2022 benefit amount]

Your monthly benefit  
Before 11/1/2022: \$[10/1/2022 benefit amount]

Amount of your MPRA  
Benefit suspension: \$[difference between 11/1/22 and 10/1/22 benefit amount]

**Note:** Lump sum payments to cover the amount of your monthly benefit suspended under MPRA cannot be made until the Plan receives SFA funding under ARPA. You will receive a separate notice at the time lump sum payments are made.

### Questions?

1. Most questions about your benefit suspension, and the restoration of your benefit suspension, are covered in Q&As on the Plan's website: You can access the Plan's website at: [www.wspensionbenefits.org](http://www.wspensionbenefits.org).
2. If you still have questions, you can contact the Plan Office as follows:  
  
Email: [wsope@BeneSys.com](mailto:wsope@BeneSys.com)  
  
Phone: 503-222-7694 or 800-413-4928  
  
Mail: PMB #116, 5331 S Macadam Ave, Suite #258, Portland, OR 97239
3. The fastest way to receive updates from the Plan, including notifications related to the Plan's ARPA application, is to sign-up for email notifications. Please contact the Plan Office to authorize email notifications.

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## ADDITIONAL INFORMATION REQUIRED UNDER APRA.

Again, as of the date of this notice, the Plan has not yet filed an application for Special Financial Assistance (“SFA”) under ARPA. The earliest the Plan will file for SFA is December of 2022.

### Why am I receiving this notice?

Plan records show that you are currently in pay status and your benefits were subject to suspension under the MPRA starting October 1, 2018.

### What is my reinstated benefit and when will it start?

Monthly benefits will be reinstated starting November 1, 2022 for participants in pay status. This means the amount of monthly benefit, if any, that was suspended under MPRA effective October 1, 2018 will be restored starting with your November 2022 monthly pension payment.

### May the Plan suspend my benefits again?

No. The Plan is not eligible to apply to the U.S. Department of the Treasury for approval to suspend or further reduce your benefits under the MPRA in the future, once the Plan receives SFA funding.

However, if the Plan becomes insolvent (i.e., runs out of money) in the future, your monthly pension benefit may be reduced to the amount guaranteed by the Pension Benefit Guarantee Corporation (“PBGC”) under Federal law. The PBGC is part of the U.S. Department of Labor and is responsible for administering ARPA.

### Taxes

Your reinstated monthly benefit is taxed under the same rules applicable to monthly pension benefits before reinstatement. You should contact the Plan Office if you want to make changes to your tax withholding.

### Claims process for incorrect calculations

If you think that your reinstated monthly benefit was calculated incorrectly, you have the right to submit a claim to the Plan Office to have the calculation corrected. The Plan Office can provide you a copy of the Plan’s claims procedures, including information on your right to have a court review the Plan’s final decision on your claim.

### Access to Plan documents

Under the Employee Retirement Income Security Act of 1974 (ERISA), you have the right to request a copy of Plan documents and other information. The following documents may help you understand your rights relating to the reinstatement of your suspended monthly pension benefit:

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- The Plan document (including any amendments adopted to reflect the reinstatement of your suspended monthly pension benefit), trust agreement, and other documents governing the Plan (such as collective bargaining agreements),
- The most recent summary plan description (SPD or plan brochure) and any summary of material modifications,
- The Plan's Form 5500 annual reports, including audited financial statements, filed with the U.S. Department of Labor,
- The annual funding notices furnished by the Plan,
- The Plan's application for special financial assistance and accompanying documentation,
- Actuarial reports, including reports prepared in anticipation of the receipt of special financial assistance, furnished to the Plan, and
- The Plan's current rehabilitation plan.

The Plan Administrator must respond to your request for these documents within 30 days and may charge you the cost per page to the Plan for the least expensive means of reproducing documents, but the Plan Administrator cannot charge more than 25 cents per page. The Plan's Form 5500 Annual Return/Report of Employee Benefit Plan is also available free of charge at <https://www.efast.dol.gov>. Documents relating to the Plan's application for special financial assistance are available free of charge at [www.pbgc.gov](http://www.pbgc.gov).

## Assistance with Your Questions

If you have any questions about the Plan or the reinstatement of your benefits, or if you believe that information used to calculate your reinstated benefit is incorrect, please contact the Plan Office at (503) 222-7694 or Toll-Free (800) 413-4928. You can also mail questions to the following address: PMB #116, 5331 S Macadam Ave, Suite #258, Portland, OR 97239, or send an email with your question to [wsope@BeneSys.com](mailto:wsope@BeneSys.com).

If you have any questions about your rights under ERISA or need assistance:

- In obtaining documents from the Plan office; or
- With a denied claim relating to the reinstatement of your suspended monthly pension benefit

You can speak to an employee of the Employee Benefits Security Administration (EBSA) who has expertise in ERISA and employee benefits. You may contact EBSA by phone at 1-866- 4443272, or online at [askebsa.dol.gov](http://askebsa.dol.gov) to communicate directly with an EBSA Benefits Advisor. An EBSA Benefits Advisor will review and discuss your issue with you. When appropriate, the Benefits Advisor can contact the Plan and attempt to address issues through voluntary compliance.