

# NECA-IBEW 177 PENSION FUND

c/o National Employee Benefits Administrators, Inc.  
8657 Baypine Road, Bldg. 5 – Ste 200, Jacksonville, FL 32256  
Phone: (904) 538-0100 – Fax: (904) 538-0088 – Toll-Free: (888) 396-5899

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Dear Participant,

Please complete the attached packet in order for us to determine if you are eligible for a retirement/distribution at this time. Please submit the following information.

- ✓ Complete the enclosed forms in full.
  - Application for Benefits;
  - Verification of Employment in the Electrical Industry;
  - Verification of Non-Applicability of Joint & Survivor Option; and
  - Exhibit A, if applicable.
- ✓ Send proof of age, for both you and your beneficiary. If your beneficiary is your spouse, please send a copy of your Marriage License.
- ✓ If applying for a Disability Retirement, send proof of Disability from the Social Security Administration reflecting your “Entitlement” Date. **(Do not hold up sending this application packet waiting for proof of disability).**

Your completed forms and supporting documentation should be sent to the following address.

NECA-IBEW 177 PENSION FUND  
c/o NATIONAL EMPLOYEE BENEFITS ADMINISTRATORS, INC.  
8657 Baypine Road Bldg 5 - Ste 200  
Jacksonville FL 32256-8364

As soon as **ALL** of the requested information is received, your Application for Benefits will be reviewed and eligibility determined.

Sincerely,

National Employee Benefits Administrators, Inc. - Pension Department

## **PROOF OF AGE**

It is required that you furnish the best type of proof which is available. It is recognized of course, that in many cases, a birth certificate will not be available, particularly for those who were born outside of the United States. In that case, you should secure the next best type of proof.

You do not have to furnish the original of any of these documents, you may submit a copy\*.

1. A birth certificate.
2. A baptismal certificate or a statement as to the date of birth shown by a church record, certified by the custodian of such records.
3. Notification of registration of birth in a public registry of vital statistics.
4. Hospital birth record, certified by the custodian of such records.
5. A foreign church or government record.
6. A signed statement by the physician or midwife who was in attendance at birth, as to the date of birth shown on their records.
7. Naturalization record.
8. Immigration papers.
9. Military record.
10. Passport.
11. School record, certified by the custodian of such records.
12. Vaccination record, certified by the custodian of such records.
13. Marriage records showing date of birth or age (applications for marriage license or church record, certified by the custodian of such records, or marriage certificate).
14. An insurance policy which shows the age or date of birth,
15. Other evidence, such as signed statements from persons who have knowledge of the date of birth, voting records, poll-tax receipts, driver's license, etc.

\* Usually only one document is necessary when a document(s) described in items 1, 2, 3, or 4 is submitted. When submitting a document described in 5 through 15, more than one document should be submitted.

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## APPLICATION FOR BENEFITS

PLEASE PRINT OR TYPE:

1. NAME OF APPLICANT: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)
2. \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_  
(SOCIAL SECURITY NUMBER) (MONTH) (DAY) (YEAR)  
(ATTACH PROOF – SEE INSTRUCTIONS)
3. MARITAL STATUS: \_\_\_\_\_ Married \_\_\_\_\_ Single \_\_\_\_\_ Widowed \_\_\_\_\_ Divorced
4. HAVE YOU BEEN PREVIOUSLY DIVORCED? \_\_\_\_\_ NO \_\_\_\_\_ YES

IF YES, COMPLETE THE ENCLOSED “EXHIBIT A” AND ATTACH A COMPLETE COPY OF YOUR DIVORCE DECREE(S). BE SURE TO INCLUDE ANY AGREEMENTS REFERENCED IN THE DIVORCE DECREE(S) SUCH AS, BUT NOT LIMITED TO, MARITAL SETTLEMENT AGREEMENT. IF A PORTION OF YOUR BENEFIT HAS BEEN AWARDED TO AN EX-SPOUSE, PLEASE FURNISH A COPY OF THE QUALIFIED DOMESTIC RELATIONS ORDER (QDRO).

5. NAME OF SPOUSE: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE) (SOCIAL SECURITY NUMBER)
6. SPOUSE'S DATE OF BIRTH: \_\_\_\_\_  
(MONTH) (DAY) (YEAR)  
(ATTACH PROOF – SEE INSTRUCTIONS)
7. DATE OF MARRIAGE: \_\_\_\_\_  
(MONTH) (DAY) (YEAR)  
(ATTACH MARRIAGE CERTIFICATE)
8. PERMANENT ADDRESS TO WHICH CHECK OR CORRESPONDENCE SHOULD BE SENT:  
\_\_\_\_\_  
(ADDRESS OR P.O. BOX) (CITY & STATE) (ZIP CODE)
9. TELEPHONE NUMBER: \_\_\_\_\_  
(INCLUDE AREA CODE)

10. **TYPE OF RETIREMENT FOR WHICH YOU ARE APPLYING:** (CHECK ONE OF THE FOLLOWING)

I elect to receive a distribution of my account because I have ceased (or will cease) to work in Covered Employment on the Termination Date listed in item #12 on the next page and I am or will be eligible to receive a distribution of my Account because of the following event:

- \_\_\_\_\_ A. **Normal Retirement Date (age 60)** – I have attained age 60 and have withdrawn completely (for a period of at least 30 consecutive days) from Covered Employment and Industry Employment as of or after the date I turned age 60 or plan to retire (retirement date entered in item #12).
- \_\_\_\_\_ B. **Early Retirement Age (Age 50-59)** – I am between the ages of 50 and 59 and have withdrawn completely (for a period of at least 30 consecutive days) from Covered Employment and Industry Employment as of or after the date I turned age 50 or plan to retire (retirement date entered in item #12).
- \_\_\_\_\_ C. **Required Minimum Distribution – IRS 70½ Rule** – I have attained age 70½ and have withdrawn completely (for a period of at least 30 consecutive days) from Covered Employment and Industry Employment as of or after the date I turned age 70½ or plan to retire (retirement date entered in item #12).
- \_\_\_\_\_ D. **Permanent and Total Disability** - I have attached a copy of my Social Security Disability Award Letter or physician's certification of totally and permanently disabled and unable to work. I understand Trustees' approval is required prior to distribution.

CONTINUES ON NEXT PAGE

\_\_\_\_\_ F. **Refund Temporary Employee** – I am a temporary employee who: (1) worked in the geographic jurisdiction of the Local 177, (2) is not associated with the Plan, (3) worked within the geographic jurisdiction of Local 177 for less than 12 months, and (4) has an Account Value of less than \$2,000. I request a withdrawal of 100% of my Account Value and I have not engaged in Covered Employment and Industry Employment for at least twelve (12) consecutive months.

11. I PLAN TO RETIRE ON: \_\_\_\_\_ 12. LAST DATE WORKED OR EXPECTED TO WORK: \_\_\_\_\_  
(MONTH) (DAY) (YEAR) (MONTH) (DAY) (YEAR)

13. DATE OF INITIATION INTO LOCAL: \_\_\_\_\_ (\_\_\_\_\_)  
(MONTH) (DAY) (YEAR) LOCAL NO.

PRESENT LOCAL UNION NO: \_\_\_\_\_

14. LIST BELOW ANY PERIOD OF INTERRUPTION IN YOUR EMPLOYMENT DUE TO DISABILITY, MILITARY, MATERNITY OR PATERNITY LEAVE OR WORK FOR A SIGNATORY EMPLOYER IN NON-COVERED EMPLOYMENT:

Reason	From:	(Month & Year)	To:	(Month & Year)
_____	_____		_____	
_____	_____		_____	

15. HAVE YOU APPLIED FOR RETIREMENT BENEFITS FROM THE SOCIAL SECURITY ADMINISTRATION?

\_\_\_\_\_ NO \_\_\_\_\_ YES **IF YES, check type of Retirement you applied for:**

\_\_\_\_\_ Normal Retirement \_\_\_\_\_ Early Retirement \_\_\_\_\_ Disability Retirement

16. I AND MY SPOUSE (IF MARRIED) UNDERSTAND I/WE HAVE THE RIGHT TO ELECT A DIFFERENT FORM OF PAYMENT AT LEAST 30 DAYS PRIOR TO THE DATE MY BENEFITS ACTUALLY COMMENCE AND,

**Check one:**

- ☐ I/we waive the 30-day period noted above and understand the actual payment of benefits will be made no earlier than 8 days after the date this Application for Benefits has been notarized.
- ☐ I/we do not waive the 30-day period noted above and understand the actual payment of benefits will be made no earlier than 30 days after the date this Application for Benefits has been notarized.

**I hereby attest that I have reviewed the explanation of benefit forms and the other documents provided in this Application for Benefits package and have received answers to any questions that I had about this information. I have been provided with at least 30 days to review these documents or I have elected to waive the 30-day review period.**

**If I am married and I do not elect the 50% or 75% Qualified Joint and Survivor Annuity option on the Part II - Benefit Selection Form, I realize that I have waived that benefit. If I elect the Lifetime Annuity option or the Lump Sum Payment option, I understand my spouse's consent to such waiver is required.**

**I hereby attest that all the statements and information given on this Application for Benefits are true and accurate to the best of my knowledge. I understand that a false statement and/or fictitious information may disqualify me for benefits.**

**I also understand by signing this Application for Benefits that I will not receive any earnings (interest) on the amount withdrawn prior to the end of the month in which my distribution is made.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Participant's Signature\*

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\*Signature must be witnessed by a notary public.

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**To:** Pension Applicant

**From:** Application Committee

**Re:** Application for Benefits

Dear Participant:

Please print and provide all requested information (this will avoid a delay in processing your application). The application must be signed and dated. Mail the completed application and all requested information to the address above.

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Name: \_\_\_\_\_ Soc. Sec. No.: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
Street: \_\_\_\_\_ Phone Number: (\_\_\_\_\_) \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

NAME AND ADDRESS OF YOUR HOME IBEW LOCAL UNION:

IBEW Local #: \_\_\_\_\_ Date of Initiation: \_\_\_\_\_  
Street: \_\_\_\_\_ Date of Termination: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ How Terminated: \_\_\_\_\_

Please indicate the type of benefit for which you are applying:

1. Normal Retirement Benefit: \_\_\_\_\_
2. Early Retirement Benefit: \_\_\_\_\_
3. Mandatory Distribution (IRS – 70 ½ Rule): \_\_\_\_\_
4. Total & Permanent Disability: \_\_\_\_\_
5. Refund to Temporary Employee: \_\_\_\_\_

**PARTICIPANT: I certify that the information on this form and any attached material is true and correct to the best of my knowledge.**

\_\_\_\_\_  
Signature of Participant

\_\_\_\_\_  
Date

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**APPLICATION COMMITTEE: This is to certify that the information on this form is correct and suitable evidence of birth date and/or disability has been submitted and verified, if applicable.**

Application Approved: \_\_\_\_\_

Application Denied: \_\_\_\_\_

\_\_\_\_\_  
Authorized Committee Representative

\_\_\_\_\_  
Authorized Committee Representative

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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**To:** Pension Applicant

**From:** Application Committee

**Re:** VERIFICATION OF EMPLOYMENT IN THE ELECTRICAL INDUSTRY

Dear Participant:

As a condition for the withdrawal of the contributions made on your behalf to the NECA-IBEW 177 Pension Fund and prior to the Application Committee making a decision on your application, the committee needs to know if you are currently employed in the Industry. “**Industry Employment**” is defined as, Employment by a former Employee for which no Contributions are made to the Trust Fund but which occurs within the jurisdictional area of a Union and in a job classification or trade activity which would have constituted Covered Employment had such employment been performed for an Employer contributing to the Trust Fund. Such employment shall include, but not limited to, self-employment. Please complete the items below, sign, date and return the form with your application.

Sincerely,

National Employee Benefits Administrators, Inc. - Pension Department

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[ ] I am presently working in Industry Employment.

[ ] I am **not** presently working  
in Industry Employment.

**Last Date Worked:** \_\_\_\_\_

**Last Employer:** \_\_\_\_\_

**Last Working Local:** \_\_\_\_\_

[ ] I am working, but not in Industry Employment, as noted below:

A) Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

B) Job Title: \_\_\_\_\_

C) Job Location: \_\_\_\_\_

D) Description of Duties: \_\_\_\_\_

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Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Authorized Committee Representative**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

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## VERIFICATION OF NONAPPLICABILITY OF JOINT AND SURVIVOR OPTION

### Known All Men By These Presents, that

**Whereas**, The undersigned is a participant in the NECA-IBEW Local 177 Pension Fund (the “Plan”); and

**Whereas**, The undersigned has applied to the Board of Trustees (the “Trustees”) of the Plan for a retirement benefit under the Plan; and

**Whereas**, The undersigned acknowledges that he has been advised that the standard form of retirement benefit available under the Plan is a Joint and Survivor spousal annuity benefit; and

**Whereas**, The undersigned has been advised that the benefit must be calculated and paid in this form unless, for a married participant, the spouse elects out of the form or, for an unmarried participant, the participant satisfies the requirements of the Trustees for evidence that no spouse exists or cannot be located; and

**Whereas**, The participant has represented to the Trustees in his Application for Benefits that he has no lawful spouse (or that he/she has a lawful spouse who cannot be located); and

**Whereas**, The undersigned desires to make the necessary appropriate representations to the Plan’s Administrative Office of this fact so the Trustees may act upon his Application for Benefits under the Plan.

**Now, Therefore**, in consideration of these premises, the agreement of the Trustees to act upon the Application for Benefits of the undersigned for a retirement benefit under the Plan and other good and valuable consideration, the undersigned warrants and represents to the Trustees as follows:

1. (a) At the present time, I am an unmarried person and have no lawful spouse.  
Attached hereto as Exhibit “A” is a listing of any prior spouse(s) which I may have had an explanation of the termination of that marriage.  
  
(b) I am a married person with a lawful spouse, but she cannot be located because  
  
\_\_\_\_\_  
  
\_\_\_\_\_
2. I have received and read the explanations of the Joint and Survivor Annuity and the Pre-Retirement Survivor Annuity from the Plan’s Administrative Office, and I am fully advised as to the standard form of benefit applicable under the Plan.
3. The statements and representations made by me in this Application for Benefits are true, correct, and complete.
4. The Trustees of the Plan and the Plan’s Administrative Office may rely upon my representations in processing and reviewing my Application for Benefits.
5. I have been fully advised of all my rights and the facts in connection with my Application Benefits, including this verification of non-spousal situation and I have been given the opportunity to consult with advisors of my choice before filling the Application for Benefits and make these representations.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
\*Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Social Security Number

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\*Signature must be witnessed by a notary public.

**EXHIBIT "A"**

PLEASE LIST BELOW THE NAMES OF EACH AND EVERY PRIOR SPOUSE AND THE REQUESTED INFORMATION REGARDING THE TERMINATION OF YOUR MARRIAGE TO THAT SPOUSE.

NAME OF SPOUSE	DATE OF MARRIAGE	DATE OF TERMINATION	STATE & COUNTY IN WHICH MARRIAGE WAS TERMINATED

**IF MARRIAGE WAS TERMINATED BY ORDER OF THE COURT, PLEASE ATTACH A CERTIFIED COPY OF THE ORDER (DIVORCE DECREE AND ANY AGREEMENT CONTAINED THEREIN).**

\_\_\_\_\_ YES \_\_\_\_\_ NO **A PORTION OF MY BENEFIT UNDER THE PLAN HAS BEEN ASSIGNED TO MY FORMER SPOUSE.**

**IF THE MARRIAGE WAS TERMINATED BY DEATH OF A SPOUSE, PLEASE ATTACH A COPY OF THE DEATH CERTIFICATE.**

**IF NEITHER AN ORDER NOR DEATH CERTIFICATE TERMINATING THE MARRIAGE IS AVAILABLE, PLEASE EXPLAIN WHY:** \_\_\_\_\_

NAME: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(STREET OR P. O. BOX) (CITY) (STATE) (ZIP)

\_\_\_\_\_  
\*Signature

\_\_\_\_\_  
Date

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_

Notary Public

\*Signature must be witnessed by a notary public.



***SPECIAL TAX NOTICE REGARDING PLAN PAYMENTS AND  
RIGHT TO DEFER RETIREMENT BENEFITS***

**YOUR ROLLOVER OPTIONS**

You are receiving this notice because all or a portion of a payment you are receiving from the NECA-IBEW 177 Pension Plan (the “Plan”) is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to pursue such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account with special tax rules in some employer plans).

Rules that apply to most payments from a plan are described in the “General Information About Rollovers” section. Special rules that only apply in certain circumstances are described in the “Special Rules and Options” section.

**GENERAL INFORMATION ABOUT ROLLOVERS**

**How can a rollover affect my taxes?**

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59 1/2 and do not make a rollover, you will also have to pay a 10% additional income tax on early distributions (unless another exception, described below, applies). However, if you make a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59 1/2 (or if another exception applies).

**Where may I roll over the payment?**

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spousal consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

**How do I make a rollover?**

There are two ways to make a rollover. You can either elect a direct rollover or make a 60-day rollover.

If you elect a direct rollover, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the Plan Administrator of the employer plan for information on how to make a direct rollover.

If you do not elect a direct rollover, you may still make a rollover by making a deposit into an IRA or eligible employer plan that will accept it. You will have 60 days after you receive the payment to make the deposit. If you do not elect a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes. This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59 1/2 (unless another exception applies).

**How much may I roll over?**

If you wish to make a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 70 1/2 (or after death)

- Hardship distributions
- Corrective distributions of contributions that exceed tax law limitations

The Plan Administrator or the payor can tell you what portion of a payment is eligible for rollover.

### **If I don't make a rollover, will I have to pay the 10% additional income tax on early distributions?**

If you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments made due to disability
- Payments after your death
- Corrective distributions of contributions that exceed tax law limitations
- Payments made directly to the government to satisfy a federal tax levy
- Payments made under a qualified domestic relations order (QDRO)
- Payments up to the amount of your deductible medical expenses
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days

### **If I make a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?**

If you receive a payment from an IRA when you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55.
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

### **Will I owe State income taxes?**

This notice does not describe any State or local income tax rules (including withholding rules).

## **SPECIAL RULES AND OPTIONS**

### **If you miss the 60-day rollover deadline**

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs).

**If you were born on or before January 1, 1936**

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, Pension and Annuity Income.

**If you roll over your payment to a Roth IRA**

If you roll over your payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59 1/2 (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs) and IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs).

You cannot roll over a payment from the Plan to a designated Roth account in an employer plan.

**If you are not a plan participant**

Payments after death of the participant. If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions does not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59 1/2 will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70 1/2.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70 1/2.

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments under a qualified domestic relations order. If you are the spouse or former spouse of the participant who receives a payment from the Plan under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). Payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

**If you are a nonresident alien**

If you are a nonresident alien and you do not elect a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you make a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, U.S. Tax Guide for Aliens, and IRS Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

**Other special rules**

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold for federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan Administrator or the payor. A mandatory cashout is a payment from a plan to a participant without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information, see IRS Publication 3, Armed Forces' Tax Guide.

**RIGHT TO DEFER RETIREMENT BENEFITS AND CONSEQUENCES  
OF NOT DEFERRING UNDER THE PLAN****Right to Defer Your Retirement Benefit**

You have the right to defer the receipt of your retirement benefit under the Plan until any future date except that distributions must commence by the April 1 following the calendar year in which you reach age 70-1/2 or terminate Covered Employment, if later. Because you have this right, you should consider the consequences of electing to receive your benefits now instead of waiting until later.

If you do not take your retirement benefit now, your Account will continue to be subject to the gains and losses of the Plan's investments. Although the fees for maintaining your Account in the Plan may change in the future, they will not change as a result of your termination of employment. The Plan allocates its assets to multiple investment managers that charge fees based on the level of assets assigned to them. The investment fees you pay if you leave your benefit in the Plan may be higher or lower than if you would take a distribution and invest these amounts in a similar product outside of the Plan.

**FOR MORE INFORMATION**

You may wish to consult with the Plan Administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, Pension and Annuity Income; IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs); IRS Publication 590-B, Distributions From Individual Retirement Arrangements (IRAs); and IRS Publication 571, Tax-Sheltered Annuity Plans (403(b) Plans). These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.

You may contact your Plan Administrator at 1-888-396-5899 or 1-904-538-0100 or at the address on the first page of this notice.

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***SPECIAL TAX NOTICE REGARDING PLAN PAYMENTS AND  
RIGHT TO DEFER RETIREMENT BENEFITS***

**YOUR ROLLOVER OPTIONS**

You are receiving this notice because all or a portion of a payment you are receiving from the NECA-IBEW 177 Pension Plan (the “Plan”) is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to pursue such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account with special tax rules in some employer plans).

Rules that apply to most payments from a plan are described in the “General Information About Rollovers” section. Special rules that only apply in certain circumstances are described in the “Special Rules and Options” section.

**GENERAL INFORMATION ABOUT ROLLOVERS**

**How can a rollover affect my taxes?**

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59 1/2 and do not make a rollover, you will also have to pay a 10% additional income tax on early distributions (unless another exception, described below, applies). However, if you make a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59 1/2 (or if another exception applies).

**Where may I roll over the payment?**

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, no spousal consent rules apply to IRAs and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

**How do I make a rollover?**

There are two ways to make a rollover. You can either elect a direct rollover or make a 60-day rollover.

If you elect a direct rollover, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the Plan Administrator of the employer plan for information on how to make a direct rollover.

If you do not elect a direct rollover, you may still make a rollover by making a deposit into an IRA or eligible employer plan that will accept it. You will have 60 days after you receive the payment to make the deposit. If you do not elect a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes. This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59 1/2 (unless another exception applies).

**How much may I roll over?**

If you wish to make a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Required minimum distributions after age 70 1/2 (or after death)

- Hardship distributions
- Corrective distributions of contributions that exceed tax law limitations

The Plan Administrator or the payor can tell you what portion of a payment is eligible for rollover.

### **If I don't make a rollover, will I have to pay the 10% additional income tax on early distributions?**

If you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary)
- Payments made due to disability
- Payments after your death
- Corrective distributions of contributions that exceed tax law limitations
- Payments made directly to the government to satisfy a federal tax levy
- Payments made under a qualified domestic relations order (QDRO)
- Payments up to the amount of your deductible medical expenses
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days

### **If I make a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?**

If you receive a payment from an IRA when you are under age 59 1/2, you will have to pay the 10% additional income tax on early distributions from the IRA, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- There is no exception for payments after separation from service that are made after age 55.
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse).
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.
- There are additional exceptions for (1) payments for qualified higher education expenses, (2) payments up to \$10,000 used in a qualified first-time home purchase, and (3) payments after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

### **Will I owe State income taxes?**

This notice does not describe any State or local income tax rules (including withholding rules).

## **SPECIAL RULES AND OPTIONS**

### **If you miss the 60-day rollover deadline**

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. To apply for a waiver, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs).

**If you were born on or before January 1, 1936**

If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, Pension and Annuity Income.

**If you roll over your payment to a Roth IRA**

If you roll over your payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over will be taxed. However, the 10% additional income tax on early distributions will not apply (unless you take the amount rolled over out of the Roth IRA within 5 years, counting from January 1 of the year of the rollover).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59 1/2 (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, Contributions to Individual Retirement Arrangements (IRAs) and IRS Publication 590-B, Distributions from Individual Retirement Arrangements (IRAs).

You cannot roll over a payment from the Plan to a designated Roth account in an employer plan.

**If you are not a plan participant**

Payments after death of the participant. If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions does not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59 1/2 will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70 1/2.

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70 1/2.

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

Payments under a qualified domestic relations order. If you are the spouse or former spouse of the participant who receives a payment from the Plan under a qualified domestic relations order (QDRO), you generally have the same options the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). Payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

**If you are a nonresident alien**

If you are a nonresident alien and you do not elect a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you make a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, U.S. Tax Guide for Aliens, and IRS Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

**Other special rules**

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold for federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan Administrator or the payor. A mandatory cashout is a payment from a plan to a participant without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

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