

Fund Office will notify you. Please call the Fund Office if you would like additional information on these limits.

**APPEAL AND ARBITRATION PROCEDURE
IN THE EVENT OF A DENIAL OF BENEFITS
OR PENSION AWARD**

Unless special circumstances exist, the Fund Office will inform you of the action on your application for pension benefits within 90 days of the date the Application is filed. Within that 90-day period, you will receive a notice of the decision on your application or a notice that explains the special circumstances requiring a delay in the decision, and sets a date no later than 180 days after the application is filed with the Fund Office by which you can expect to receive a decision.

If your application is denied by the Board of Trustees, you will receive a notice from the Fund Office stating the specific reason(s) for the denial and a specific reference to the pertinent provision of the Plan documents on which the denial is based, describing and explaining any additional material or information required in order to perfect your application and why the material or information is necessary, and explaining what steps must be taken to have the denial reviewed.

If you are dissatisfied with any portion of the decision of the Board of Trustees, there is a two stage procedure providing for the review and reconsideration of that decision. The first stage is a review by the Trustees or a subcommittee of the Trustees. The second stage is mandatory-nonbinding arbitration. Each of these procedures is described in more detail below.

I. TRUSTEE REVIEW (STAGE ONE)

If you believe that you have met the requirements of the Plan to be eligible for a pension or if you question the determination of the amount of your award, you must petition the Board of Trustees for a review of your claim. You may review all of the pertinent documents at the Fund Office.

A. How To Request a Review

Your request for a review, or Petition, must be in writing, and should state clearly the reasons why your pension should not be denied or why the award is improper. The Petition must be received by the Fund Office within 90 days after the date you received the notice from the Board of Trustees with which you are dissatisfied. The Petition should be sent by certified mail to the following address:

Connecticut Carpenters Pension Fund
10 Broadway
Hamden, CT 06518-2699
Telephone: 203-281-5511
1-800-922-6026 (Toll Free)

If your Petition is not received by the Fund Office within the required 90 day period, you will lose the right to a review of your claim.

B. Time Limits on Decision

A decision will be made by the Board of Trustees no later than the date of the meeting of the Board following their receipt of your request for review of the denial or, if the request is filed within 30 days of that meeting, the date

of the second Trustees meeting following receipt of your request. If special circumstances require an extension of time for processing, written notice of such extension will be furnished to you before the extension begins and a decision will be rendered not later than the third Trustees meeting after receipt of your request for review. The Trustees may, in their discretion, by vote of a majority of the full Board of Trustees, delegate to a subcommittee of Trustees the authority to review and decide on any request for review.

II. ARBITRATION (STAGE TWO)

If you are dissatisfied with the Trustees' decision regarding your Petition, you may request a hearing before a single independent arbitrator appointed in accordance with the rules then prevailing of the American Arbitration Association (Labor).

A. Nature of Arbitration Process

The arbitration is mandatory, but nonbinding. The arbitration is mandatory in the sense that you must pursue the arbitration procedure as a precondition to suing the Fund or the Trustees on the issue of your pension rights in a state or federal court. It is nonbinding in the sense that if you are dissatisfied with the Arbitrator's Award (decision), you may continue to seek relief before an appropriate court. In short, neither the Fund nor you is bound by the Arbitrator's decision.

B. How to Start the Arbitration Process

Within 90 days after delivery of the Trustee's decision regarding your Petition to your address of record, you must send a Request for Arbitration to the Fund

Office. The Request for Arbitration should contain a short and plain statement of why you believe that the Trustees' decision regarding your Petition was in error. No particular format is required and the Request for Arbitration may be hand written. It must be received at the Fund Office within 90 days after you receive the Trustees' decision. It should be sent to the Fund Office by certified mail.

Upon receipt by the Fund Office of a timely Request for Arbitration, the Fund Director will contact the Hartford area office of the American Arbitration Association ("AAA") by filing a Demand for Arbitration, a copy of which shall be sent simultaneously to you. The AAA, in accordance with its own rules, will make the necessary arrangements for the selection of a single, impartial arbitrator and the arbitration hearing. That hearing shall take place in Hartford County, Connecticut unless you and the Fund mutually agree to a different location.

C. Issue Presented To The Arbitrator

The exclusive issues for the Arbitrator's consideration are whether the decision of the Trustees was consistent with the provisions of the Plan and whether that decision was supported by substantial evidence. In addition, if the Arbitrator finds that you have pursued the arbitration in bad faith, the Arbitrator may assess against you one-third of the AAA's administration fee or \$300.00 whichever is less.

The Arbitrator's Award will include a brief statement giving the reasons for his decision.

D. Who Pays for the Arbitration

The Fund will pay the AAA's administration fees (subject to paragraph C) and the per diem fee of the Arbitrator.

E. General Matters Regarding Arbitration

1. Applicable Rules

The conduct of the arbitration is governed by the Rules of the American Arbitration Association (Labor) prevailing at the time of the filing of the Demand for Arbitration.

2. Representation by Counsel

You may, if you wish, be represented by a lawyer at your own expense. The Fund may be represented by a lawyer at its own expense.

3. Statute of Limitations

The Statute of Limitations is a time period created by a statute which establishes the time within which a lawsuit must be commenced if it is to be commenced at all. To insure that you are not prejudiced by the passage of time necessarily involved in the arbitration process, the Fund agrees that the applicable Statute(s), of Limitations will toll (stop) from the date on which the Fund Office receives your Request for Arbitration through the date ten days after the filing of the Arbitration Award (Decision).

4. Necessity of Pursuing Administration Remedies

Both the Trustee Review and the Arbitration process are administrative remedies which you must pursue and exhaust **before** commencing a lawsuit with respect to the Fund's denial of your pension benefit.

5. Effect of the Arbitrator's Award

As noted above, the Award is not binding on you or on the Fund. The content of the Award will **not** be admissible in any subsequent court proceedings except in connection with any judicial determination as to whether you have exhausted your administrative remedies.

FUTURE OF THE PLAN

The Trustees believe the contributions will be sufficient under normal circumstances to provide the benefits described in this booklet; however since it is not possible to predict future conditions accurately, the Trustees reserve the right to revise the Plan if the Fund is not sufficient to provide pensions or pre-retirement benefits.

The future of the Plan will be determined by the terms of the Collective Bargaining Agreement, and by the financial condition of the Plan. Hence, the Trustees necessarily reserve the right to amend or terminate the Plan at any time. No change, suspension, or discontinuance will adversely affect the pensions being paid. If the Plan is discontinued, the unallocated assets of the Pension Fund will be disposed of for the exclusive benefit of employees who are then included or who have retained a vested interest in the Plan. If an employee is not receiving a pension at the time of discontinuance, his benefits credited under the Plan may be reduced or cancelled, depending on the status and method of application of the assets of the Pension Fund.

CANCELLATION OF PAST SERVICE CREDITS

If a Participating Local Union terminates its participation in the Fund with respect to a bargaining unit,