

RE: Divorce and Qualified Domestic Relation Orders (QDRO's)

Unfortunately, "*breaking up is hard to do*" is quite true when talking about your retirement benefits – namely - your interests in the IBEW Local 236 Annuity and the IBEW, NEBF & IBEW Local 236 Pensions.

If your marriage is terminating in Divorce, you must address the allocation of the benefits in these funds in formal documents issued from a state authority (court/agency) that clearly spell out how these assets are to be distributed. These are known as Qualified Domestic Relation Orders (QDRO's).

In order to reduce any confusion and mitigate the high costs associated with preparing these documents, the IBEW Local 236 Benefit Funds office has partnered with our fund counsel to develop formats for each Fund. We will provide these documents, along with those for the IBEW and NEBF Pensions as provided by them, to the legal representatives (your spouse's and your attorneys) for both parties involved. They in turn, will tailor them to your individual agreed-upon divisions, and submit the drafts directly to the Funds' counsel for review and approval. If changes need to be made, the Funds' counsel will notify and discuss the issues with your attorneys regarding any proposed changes or wording.

As such, the following is a logical outline for the procedures to follow:

1. Notify the Fund office of the situation, and provide us with direction as to your needs and temporary issues pertinent to your accounts
2. Provide any court issued documents that relate to your benefits as they are issued (separation agreement, divorce decree, etc.)
3. Provide the Fund office with the names of the attorneys for each party.
4. We will provide the information for all of the following to both representatives:
 - a. Copies of the formats for both the IBEW and, NEBF Pensions. (we and our Fund counsel do not represent them).
 - b. Benefit accrual information for both the IBEW Local 236 Pension Fund and IBEW Local 236 Annuity Fund. (and IBEW Local 236 Health & Benefit Fund).
 - c. Contact information for the Fund office:
IBEW Local 236 Benefit Funds
3000 Troy-Schenectady Road
Schenectady, NY 12309
Telephone- 518-782-5499; Fax-518-783-9957;
 - d. and the Funds' counsel: William Pozefsky, Esq.
5. Your attorney(s) will develop the QDRO based upon your intentions and the information provided by our offices. Once you have reviewed the drafts to be certain they detail everything you intend, the following sequence will apply:
 - a. Your attorney(s) will send only the drafts for the IBEW Local 236 Annuity & Pension Funds to our Fund counsel for technical review and approval. If there are questions, the attorney(s) will discuss them with our Fund counsel and resolve any issues that exist.
 - b. The drafts for the IBEW Pension Benefit Fund and the NEBF Pension must be sent directly to their offices for their approval.
 - c. Your attorneys will write the final copies of the QDRO's as approved and submit them to you & your spouse for signature
 - d. The documents will be submitted to the courts for process and issuance.
 - e. Your attorney(s), once they receive the signed, recorded, and stamped copy of the final decree, will provide both parties copies of the agreements.
 - f. You will provide the Fund office with copies of the Separation Agreement, Divorce Decree, and QDRO's for all of the Funds. (applications for all the benefits are generally processed here).
6. The Fund office will:
 - a. Copy all QDRO's for all the Funds, as well as the pertinent sections where necessary of the Separation Agreement and Divorce Decree, and any other documents as needed;
 - b. Perform any division of accounts pertaining to the IBEW Local 236 Annuity and Pension Funds where required and retain copies of all in the permanent files maintained in the Fund office.
 - c. If your spouse is to receive any portion of the Annuity, set-up the account under their name and social security number and make any disposition directly to them.
 - d. If there is a division of your benefit under the IBEW Local 236 Pension Fund, record the disbursement of any benefit in accordance with Plan documents and the QDRO.

National Electrical Benefit Fund
2400 Research Blvd, Suite 500
Rockville, MD 20850-3266
Phone: (301) 556-4300 Fax: (301) 556-0100

IBEW Pension Benefit Fund
International Brotherhood of Electrical Workers, AFL-CIO, CLC
900 Seventh Street, N.W.
Washington DC 20001
Telephone: 202-833-7000, Fax: 202-728-7676

IBEW Local No. 236 Pension Fund
IBEW Local No. 236 Annuity Fund
IBEW Local No. 236 Health & Benefit Fund
IBEW Local No. 236 Benefit Funds
3000 Troy-Schenectady Road
Schenectady, NY 12309
Telephone- 518-782-5499; Fax-518-783-5331;

and the Funds' counsel:

William Pozefsky, Esq.
Pozefsky, Bramley, and Murphy
90 State Street
Albany, NY 12207
Telephone – 518-434-2622; Fax-518-434-0048

Please see the attached information. The QDRO's for the IBEW Local 236 Funds are available to your attorney(s) directly from the Fund counsel. Hopefully this will help.