pro seniors
Advocacy. Empowerment. Justice.

The Mid-America Pension Rights Project
Pension Claims & Appeals Process

I don't have information about my pension, but I think I have one. How do I find out about it?
If you are still working for the employer, you can contact the human resources department. They are required to provide you a Summary Plan Description (an SPD) of your pension. The SPD is a shorter version of the pension plan, is supposed to be easy to understand, and must include all of the important aspects of your plan, as well as application, appeal and contact information.

If you no longer work for the employer, but think you have a pension, you are still entitled to the information and can ask for it in person or in writing. The Mid-America Pension Rights Project has a form letter to help you, or we can make the request for you if you need help. If the company is out of business, or you don't know where it is, we can help locate the pension and make an inquiry for you.

I left the company a long time ago and never got a pension. Is it too late to find out if my spouse or I are entitled to a pension?
It may not be too late to find the pension and make the claim, especially if:

- You worked for the company for a long time;
- You worked after 1976, when federal law became more favorable for pension rights; or
- Your spouse worked after 1984, when federal law became more favorable for surviving spouses.

Companies are required to keep pensions for their past employees, and often cannot find you due to lack of current address.

The company or union tells me that I don't have any pension benefits, but I think I should. What can I do?
Telephone answers about your pension benefits are not always correct. You should apply to the company or union in writing, even if they tell you are not entitled to anything. If you apply in writing, the company must respond to you in writing with the reason for the denial and must tell you the appeal process. You can also make a request for the pension plan information, so you can confirm your pension eligibility.

I am currently receiving a pension, or the company has sent me a benefit estimate of what my pension will be, but I don't think the amount is right. What can I do?
You can ask the company to send you the worksheet used to calculate your pension, then you can appeal if you think the amount is wrong. The company is required to have an appeal process and to describe it in the Summary Plan Description. See the first question for more information about SPDs.

Pro Seniors helps older Ohioans solve legal and long-term care problems and fight Medicare fraud. Our Legal Helpline provides free legal information and advice for Ohio residents aged 60 and older.

This fact sheet provides general information, not legal advice. The law is complex and changes frequently. Before you apply this information to a particular situation, call Pro Seniors' free Legal Helpline or consult an attorney in elder law.

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