

## Notice of Critical Status

For

### Plumbers and Steamfitters Local Number 106 Pension Trust Fund

EIN: 72-0545875

Plan No. : 001

Date: October 28, 2011

Participants, Beneficiaries, Participating Union and Contributing Employers:

On September 22, 2008, the Plan's actuary determined and certified that the Plumbers and Steamfitters Local Number 106 Pension Trust Fund ("Plan") was in "critical" status for the 2008 Plan Year, of which you were notified on October 22, 2008. This determination was made because the Plan was projected to have an accumulated funding deficiency by June 30, 2011. The Plan's actuary again certified on September 28, 2009 that the Plan continues to be in critical status for the 2009 Plan Year because the Plan is still projected to have an accumulated funding deficiency by June 30, 2011. You were notified about the second year of critical status on October 22, 2009. On September 28, 2010, the actuary again formally certified that the Plan remains in critical status for the 2010 Plan Year due to the accumulated funding deficiency projected on June 30, 2011. On September 28, 2011, the actuary again formally certified that the Plan remains in critical status for the 2011 Plan Year due to the accumulated funding deficiency projected on June 30, 2012. This is the fourth Plan Year that the Plan has been in critical status.

#### Rehabilitation Plan

To restore the financial health of the Plan, the Board of Trustees adopted a Rehabilitation Plan on September 23, 2008, which was subsequently adopted by the bargaining parties. On October 22, 2008, the Trustees sent out a Notice of Adjustment to Benefits Due to Critical Status, explaining the changes to the Plan in accordance with the Rehabilitation Plan, which changes generally apply to Participants and beneficiaries whose benefit commencement date is on or after February 1, 2007. As of October 22, 2008, the Plan, while in critical status, is not permitted to pay lump sum benefits or any other payment in excess of the monthly amount paid under a single life annuity.

#### Adjustable Benefits

In addition to the existing changes under the Rehabilitation Plan, as explained in the Notice of Adjustment to Benefits Due to Critical Status, the law permits pension plans in critical status to make similar changes to future benefits, and to reduce, or even eliminate, benefits called "adjustable benefits." The Plan offers the following adjustable benefits that may be reduced or eliminated as part of an amendment to the Rehabilitation Plan:

- Disability benefits (if not yet in pay status),
- Early retirement benefit,
- Subsidized Qualified Pre-Retirement Survivor Annuity (QPSA).

***However, no reduction of adjustable benefits will reduce the level of your basic benefit payable at normal retirement.*** In the event additional benefit reductions are necessary and the Rehabilitation Plan is amended, you will be notified in a separate notice of any additional changes or reductions, and provided an explanation of the effect of those reductions. In

addition, these additional reductions may only apply to Participants and beneficiaries whose benefit commencement date is on or after February 1, 2007.

### **Where to Get More Information**

Since the law requires that the Plan's funding status be reviewed and certified annually, notices like this one will be sent each year that the actuary determines that the Plan is in critical status. The Trustees will timely notify you of any other changes that may be made to the Plan that will ensure the Plan's financial stability. If you have questions about this notice or any previous notices sent about these changes, please contact:

Ms. Barbara Chapman  
Plumbers and Steamfitters Local No. 106 Pension Trust Fund  
2126 Oak Park Blvd.  
Lake Charles, LA 70601  
(337)474-6355

We understand that legally required notices like this one can create concern about the Plan's future. The Board of Trustees is working closely with the Union and Contributing Employers toward taking appropriate actions to improve the financial health of the Plan so that your retirement benefits are secure in the future.

Sincerely,

Board of Trustees

cc: Department of Labor  
Pension Benefit Guaranty Corporation