

## **Notice of Critical and Declining Status Paintmakers Pension Plan**

This is to inform you that on June 21, 2016 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical and declining status for the plan year beginning April 1, 2016. Federal law requires that you receive this notice.

### **Critical and Declining Status**

The plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the plan's actuary determined that the sum of the plan's normal cost and interest on the unfunded benefits for the current plan year exceeds the present value of all expected contributions for the year; the present value of vested benefits of inactive participants is greater than the present value of vested benefits of active participants; and over the next four plan years, the plan is projected to have an accumulated funding deficiency in the fourth year. The Plan is considered to be in critical and declining status because it meets the above criteria for critical status, is less than 80 percent funded and is projected to become insolvent within the next 20 years.

### **Rehabilitation Plan and Possibility of Reduction in Benefits**

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. If the trustees of the plan determine that benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after August 1, 2016. But you should know that whether or not the plan reduces adjustable benefits in the future, effective as of August 1, 2016, the plan is not permitted to pay lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status.

### **Adjustable Benefits**

The plan offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the pension plan may adopt:

- Thirty-six month payment guarantees
- Disability benefits (if not yet in pay status)
- Early retirement benefit or retirement-type subsidy
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA)
- Pre-retirement death benefits other than a qualified pre-retirement death benefit (QPSA)

### **Employer Surcharge**

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the

plan is in critical status. The surcharge continues as long as the plan is in critical status and until such time as the bargaining parties adopt the Rehabilitation Plan.

The 5% surcharge will apply beginning with August 2016 hours.

**Where to Get More Information**

For more information about this Notice, you may contact

Zenith American Solutions  
201 Queen Anne Avenue North, Suite 100  
Seattle, WA 98109-4896  
(206) 282-4100

You have a right to receive a copy of the rehabilitation plan from the plan.