



Building Service 32BJ Pension Fund

101 Avenue of the Americas
New York, NY 10013-1991

www.seiu32bj.org

212-388-3500 Benefits Information

212-388-2000 General Information

**Election to Freeze Zone Status and Zone Status Notice for
The Building Service 32BJ Pension Fund
(For the Plan Year Beginning July 1, 2009)**

To: All Participants, Beneficiaries, Participating Unions and Contributing Employers

As you may know, the Pension Protection Act of 2006 (PPA) has added requirements for measuring the financial health of multiemployer plans such as The Building Service 32BJ Pension Fund (the "Plan" or "Fund").

Starting with the 2008 plan year, the PPA requires that a Pension Fund's actuary determine annually the Fund's status under these new rules and certify the status to the IRS and the Board of Trustees as plan sponsor. It is important to note that if the Fund's status for a plan year is in "endangered" ("yellow zone") or "critical" ("red zone") status, the Trustees must notify all Plan participants, beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation (PBGC) (a federal government agency which guarantees pensions to participants of pension plans that can no longer pay benefits) and the Secretary of Labor in writing of this certification and take corrective action to restore the financial health of the Plan.

The Worker, Retiree and Employer Recovery Act of 2008 (WRERA), passed in December 2008, provides the Trustees with the option to freeze their Plan's zone status for the 2009 Plan Year at the level determined for 2008.

Election to Freeze Zone Status as Endangered

On September 28, 2009, the Plan's actuary certified to the U.S. Department of the Treasury and Trustees that the Plan is in critical ("red zone") status for the Plan year beginning July 1, 2009. As you may remember, for the Plan Year beginning July 1, 2008, the Plan was certified in endangered ("yellow zone") status.

This notice is to inform you that the Board of Trustees has elected under section 204 of WRERA to freeze the Plan's zone status. This means that for the 2009 Plan Year, the requirements for plans in endangered ("yellow zone") status rather than critical ("red zone") status will apply. This election applies only for the current Plan Year.

Funding Improvement Plan

The PPA also requires pension plans in "endangered" status to adopt a "Funding Improvement Plan" (FIP). The FIP is an action plan, which based on reasonably anticipated experience and under reasonable actuarial assumptions, is designed to significantly increase a plan's funding percentage and to avoid any accumulated funding deficiency. The Board of Trustees approved the FIP on March 11, 2009.

Please note that the Plan requires that our Plan's funding status be reviewed and certified annually and notices like this one, explaining the outcome, will be sent each year until our Plan is in the "green zone". Likewise, the FIP will also be updated on an annual basis. While our goal is to remain on track with the Plan's funding schedule noted above, there are several variables beyond our control which our advisors will monitor yearly, including market volatility and changes in plan participation.

We understand that legally required notices like this one can create anxiety and concern about the Fund's future. The Board of Trustees remains confident that the Fund will continue to provide our participants and their families with secure retirement benefits.

Where to Get More Information


For more information about this, you may write to:

The Building Service 32BJ Benefit Funds
Retirement Services Department
101 Avenue of the Americas
New York, NY 10013

Or you may call Member Services at (212) 388-3500 between the hours of 8:00am and 5:00pm Monday through Friday.

The Plan will send you a copy of the Funding Improvement Plan, upon written request.

Sincerely,



Director of Retirement Services

cc: U.S. Department of Labor
PBGC