

I.B.E.W. Local 1249 Pension Fund

*6518 Fremont Road
P.O. Box 301
East Syracuse, New York 13057-0301
Phone (315) 656-8390*



March 24, 2010

FEDERAL EXPRESS: 3/24/2010

U.S. Department of Labor
Employee Benefits Security Administration
Disclosure Room N-1513
200 Constitution Ave., N.W.
Washington, D.C. 20210

RE: NOTICE OF CRITICAL STATUS

To Whom It May Concern:

Please find enclosed the Notice of Critical Status for the I.B.E.W. Local 1249 Pension Fund that was distributed to all required individuals and entities prior to March 31, 2010.

Very truly yours,

I.B.E.W. Local 1249 Pension Fund

A handwritten signature in cursive script that reads "Daniel R. Dafoe".

Daniel R. Dafoe
Administrator

DRD/s

Enclosure:

I.B.E.W. LOCAL 1249 PENSION PLAN

EIN: 15-6035161

PN: 001

Notice of Critical Status

as of

January 1, 2010

The actuary for the I.B.E.W. Local 1249 Pension Plan, O'Sullivan Associates, has certified the Plan has not passed the "Emergence Test," which requires a Plan previously certified in Critical Status to be projected to not have a funding deficiency in the current year or the next nine Plan years. The actuary projects the Plan to have a funding deficiency in that period. Therefore, the Pension Fund is still in Critical Status (Red Zone). Critical Status is described in Section 432 of the Internal Revenue Code.

As required by law, this serves as Notice to you that the Pension Fund is in Critical Status as of January 1, 2010.

In compliance with law, the Plan Trustees have developed a Rehabilitation Plan that is to raise the funding level of the Plan. The Rehabilitation Plan requires increased contributions from employers and changes in benefits as shown below:

1. Unreduced Early Retirement at age 60 with 30 years of service has been eliminated.
2. The Level Income Option has been eliminated
3. The accrual rate is reduced to 1% of contributions made on a member's behalf.

If the Trustees of the plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions.

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation until such time as their collective bargaining agreements are updated to reflect the contribution increases required by the Rehabilitation Plan. 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.

For more information about this notice, you may contact:

Board of Trustees, c/o Daniel Dafoe
I.B.E.W. Local 1249 Pension Plan
6518 Fremont Road
P.O. Box 301
East Syracuse, NY 13057-0301

You may also make inquiry with the United States Department of Labor at:

Division of Technical Assistance and Inquiries
Employee Benefits Security Administration
U.S. Department of Labor
Washington, D.C. 20210

DATE SENT: 3/24/2010