

# LOCAL 1922 PENSION FUND

1065 OLD COUNTRY ROAD—SUITE 202—WESTBURY, N.Y. 11590  
Tel: (516) 334-4140



2013 NOV -4 PM 4: 13

October 29, 2013

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

RE: Critical Status Notice

To Whom It May Concern:

Enclosed is the required filing of the Critical Status Notice for Local 1922 Pension Fund for the plan year ended June 30, 2013. This notice is being mailed after five (5) unsuccessful attempts to email the notice to [criticalstatusnotice@dol.gov](mailto:criticalstatusnotice@dol.gov).

Thank you for your attention to this matter.

Regards,

Laurie Greco  
Fund Manager

Enc: 1

## LOCAL 1922 PENSION FUND

This is to inform you that on September 30, 2013 the Local 1922 Pension Fund's actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan will be in critical status for the plan year beginning July 1, 2013. Federal law requires that you receive this notice.

### **Critical Status**

The plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the Local 1922 Pension Fund's (Pension Fund) actuary determined that the Pension Fund is greater than 70% funded but is projected to have an accumulated funding deficiency in the next two fiscal 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 Pension Fund. 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 Pension Fund determine that additional 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 will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, any additional reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after October 31, 2013. But you should know that whether or not the plan reduces adjustable benefits in the future, effective as of November 1, 2013 the Pension Fund 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.

### **Rehabilitation Plan**

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the Pension Fund. 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 Pension Fund determine that additional 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) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, any additional reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after October 31, 2013. The Trustees did previously adopt a reasonable measures Rehabilitation Plan implementing contribution increases.

### **Adjustable Benefits**

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

- Early retirement or Disability benefits or any retirement-type subsidy;
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA);

### **Employer Surcharge**

The law requires that all contributing employers pay to the Pension Fund a surcharge to help correct the Fund's financial situation until a Rehabilitation Plan is adopted. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the Pension Fund under the applicable collective bargaining agreement. As a result, 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 both critical status and has not adopted a Rehabilitation Plan.

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

For more information about this Notice, you may contact Laurie Greco, Fund Administrator at 516-334-4140 or at 1065 Old Country Road, Suite 202, Westbury, NY 11590. You have a right to receive a copy of the rehabilitation plan from the plan.

October 30, 2013.