CENTRAL PENSION FUND OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS AND PARTICIPATING EMPLOYERS
4115 CHESAPEAKE STREET, NW, WASHINGTON, DC 20016-4665
202-362-1000 | FAX 202-364-2913 | WWW.CPFIUOE.ORG

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May 26, 2009

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

RE: Notice of WRERA Election

Dear DOL:

Pursuant to IRS Notice 2009-42, enclosed please find a copy of the notice of election to freeze the Central Pension Fund of the International Union of Operating Engineers and Participating Employers' section 432 status as neither endangered or critical, as permitted by section 204 of the Worker, Retiree, and Employer Recovery Act of 2008. A copy of this notice has already been furnished to all participants, beneficiaries and collective bargaining parties, as well as the PBGC.

Should you have any questions or require any further information relative to the enclosed notice, please do not hesitate to contact the undersigned directly.

Sincerely,

Michael A. Crabtree
Fund Counsel

MAC/rb

May 2009

Notice of Funded Status

for the

CENTRAL PENSION FUND OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS AND PARTICIPATING EMPLOYERS

2008 Plan Year Status

For the Plan Year commencing February 1, 2008 and ending January 31, 2009 the Fund Actuary certified the Fund to be in Green Zone (neither Endangered nor Critical) status.

2009 Plan Year Status

For the Plan Year commencing February 1, 2009 and ending January 31, 2010 the Fund Actuary certified the Fund to be in Yellow Zone (Endangered) status.

Election to Retain 2008 Plan Year Status

Pursuant to Section 204(a) of the Worker, Retiree and Employer Recovery Act of 2008 (WRERA), the Board of Trustees has elected to retain the Fund's 2008 Green Zone status for the 2009 Plan Year.

Should the Fund be certified in Endangered or Critical status for the 2010 Plan Year, notice of that status will be provided, and steps may have to be taken to improve the funded status. It is anticipated, but cannot be assured, that the April 1, 2009 reduction in the Fund's future benefit accrual rate will avoid the need for further action.

Additional Information

The Fund's Employer Identification Number is 36-6052390, and its Plan Number is 001. For more information about this Notice, you may contact Michael R. Fanning, Chief Executive Officer for the Plan, at the Fund Office located at 4115 Chesapeake Street, NW, Washington, DC 20016-4665, telephone number 202-362-1000. For more information about the PBGC and benefit guarantees, go to PBGC's website, www.pbgc.gov, or call PBGC toll-free at 1-800-400-7242 (TTY/TDD users may call the Federal relay service toll free at 1-800-877-8339 and ask to be connected to 1-800-400-7242).