

Worker, Retiree and Employer Recovery Act of 2008
§204(c)(1) – Election

PLAN SPONSOR: Trustees of the International Union of Operating Engineers
Local 132 Pension Fund

PLAN NAME: International Union of Operating Engineers Local 132
Pension Fund

ADDRESS: 636 Fourth Avenue
Huntington, WV 25726-2626

Office: 304-525-0482
Fax: 304-697-7919

EIN/PN: 55-6015364 / 001

The Board of Trustees of the International Union of Operating Engineers Local 132 Pension Fund (the "Plan") has been notified by the Plan's enrolled actuary that, absent the election permitted under the Worker, Retiree and Employer Recovery Act of 2008 §204(c)(1) the Plan will be endangered as defined under IRC §432(b)(1) for the plan year beginning April 1, 2009.

Due to the magnitude of the unexpected investment losses in the 2008-09 plan year the Plan's funded status is expected to be less than 80% as of April 1, 2009.

The Board of Trustees at this time elects to maintain for the 2009 plan year the status for the 2008 plan year. For the 2008 plan year the Plan was certified by the enrolled actuary as not critical and not endangered.

The Board of Trustees acknowledges that timely notification of this election must be made to the IRS and Plan participants.

AUTHORIZED TRUSTEE:



5/19/2009

Date



5/19/2009

Date