

# Alaska United Food and Commercial Workers Trust Funds

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Administered by  
Labor Trust Services, Inc.

**April 29, 2010**

## **Notice of Critical Status for Alaska United Food and Commercial Workers Pension Trust**

This is to inform you that on March 31, 2010, the plan actuary certified that the plan remains in critical status for the plan year beginning in 2010. 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 plan's actuary determined that over the next three plan years, the plan is projected to have an accumulated funding deficiency for the 2011 plan year and subsequent 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 plan. 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 plan determine that 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, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after April 30, 2010, except to the extent they are related to benefit increases made within the last 60 months prior to January 1, 2010. But you should know that whether or not the plan reduces adjustable benefits in the future, effective as of April 1, 2010, the plan 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.

### **Adjustable Benefits**

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

- Pre-retirement death benefits other than a qualified pre-retirement 50% survivor annuity (QPSA)

- Early retirement benefit or retirement-type subsidy;
- Subsidized benefit payment options other than a qualified joint-and survivor annuity (QJSA);
- 24-month payment guarantees
- Recent benefit increases (i.e. occurring in the past 5 years)

### **Employer Surcharge**

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation. 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. More information on this will be provided to employers in a separate communication.

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

For more information about this Notice, you may contact Labor Trust Services, Inc., 3380 C Street, #107, PO Box 93870, Anchorage, AK 99509-3870 or at (907) 561-5119, or toll free at (800) 325-6532. You have a right to receive a copy of the rehabilitation plan from the plan.

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