

ALUMINUM, BRICK & GLASS WORKERS INTERNATIONAL UNION, A.F.L.-C.I.O., C.L.C.

EASTERN DISTRICT COUNCIL NO. 12 PENSION PLAN

P.O. BOX 220, SHILLINGTON, PA 19607-0220

AREA CODE 610-775-0812

FAX 610-775-1324

EBSA/PUBLIC DISCLOSURE
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January 6, 2011

U.S. Department of Labor
Employee Benefits Security Adm.
Public Disclosure Room, N-1513
200 Constitution Ave, NW
Washington, DC 20210

2010 NOTICE OF CRITICAL STATUS

Ladies and Gentlemen:

It has recently come to my attention that the Notice of Critical Status for the Aluminum, Brick & Glass Workers Int'l Union, AFL-CIO, CLC Eastern District Council No. 12 Pension Plan generated in April 2010 is not posted on the DOL site along with our 2008 and 2009 notices.

While all interested parties were mailed the notice in a timely manner, in researching this matter, it has come to light that the notice was directed to an incorrect government agency location.

Enclosed is the applicable notice.

Sincerely,

Kel-lee K. Wallace

Kel-Lee K. Wallace, Administrator
ABGW Pension Plan

**Notice of Critical Status
For
Aluminum, Brick & Glass Workers International Union,
AFL-CIO, CLC, Eastern District Council No. 12 Pension Plan**

This is to inform you that on March 31, 2010 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical status for the plan year beginning January 1, 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 the plan has an accumulated funding deficiency for the current plan year without consideration of an extension of certain amortized liabilities.

Rehabilitation Plan

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. This is the 3rd year the plan has been in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On April 25, 2008, you were notified that the plan may reduce or eliminate adjustable benefits and that 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. On October 20, 2008, the Trustees adopted a Rehabilitation Plan and on December 15, 2008, you were notified of certain benefit reductions adopted in that plan. 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. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) 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 25, 2008.

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:

- Post-retirement death benefits
(currently \$10 times a participant's accrued months of credited service);
- Pre-retirement lump sum death benefits
(currently \$10 times a participant's accrued months of credited service);
- One hundred-twenty-month payment guarantees;
- Disability benefits (if not yet in pay status);
- Early retirement benefit (a benefit which is not actuarially reduced for commencement prior to normal retirement age) or other retirement-type subsidy;
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA);
- Recent benefit increases (i.e., occurring in 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 2008 critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the plan is in critical status until such time as a schedule under the Rehabilitation Plan is adopted.

Where to Get More Information

For more information about this Notice, you may contact Kel-Lee Wallace at P.O. Box 220, Shillington, PA, 19607 or by telephone at 610-775-0812. You have a right to receive a copy of the rehabilitation plan from the plan.