

Wyoming Carpenters' Pension Fund  
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April 29, 2012

**EIN: 83-6013705**

**Plan No: 001**

TO: All Participants, Beneficiaries, Participating Unions and Contributing Employers

1. As you may know, the Pension Plan's actuary is required to determine annually the Plan's financial status under specific rules and certify that status to the IRS and the Trustees. It is important to note that if the Plan's status for a plan year is either "endangered" (known as the yellow zone) or "critical" (known as the red zone), the Trustees must notify all participants, employers, unions and other parties in writing of this certification, as well as take corrective action to improve the financial health of the Plan.

*Red Zone Status*

2. For the 2008 plan year, the Pension Plan's actuary first determined and certified that the Plan was in "critical" status. This determination was made because the Plan had an accumulated funding deficiency for such plan year, which means that contributions at past rates would not be high enough to meet government standards for funding the promised benefits. The Pension Plan's actuary certified that the Plan continued to be in critical status for the 2009 plan year, the 2010 plan year, and the 2011 plan year. As required, the Pension Plan's actuary again formally reviewed the status of the Plan's financial health and certified on March 30, 2012 that the Pension Plan continues to be in critical status for the 2012 plan year. This determination was made because the Plan has an accumulated funding deficiency for the current plan year.

*Rehabilitation Plan*

3. Any pension plan in the red zone is required to adopt a "rehabilitation plan" that is designed to restore the financial health of the plan. The Board of Trustees adopted a rehabilitation plan in November 2008. As required by law, a notice describing the Pension Plan's rehabilitation plan was provided to the bargaining parties shortly after that. Participants receive a summary of the rehabilitation plan plus any updates, describing any changes to the Plan, as part of the annual funding notice, which is included with this red zone notice. Also, the Pension Plan's actuary determined that the Plan is making the scheduled progress in meeting the requirements of its rehabilitation plan, in accordance with IRS rules and annual standards set forth in the rehabilitation plan.

In addition to revising the Pension Plan's formula for future benefit accruals and making similar changes to future benefits, the law permits pension plans in the red zone to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan.

#### *Adjustable Benefits*

4. The "adjustable benefits" that are subject to change, reduction, adjustment or elimination as part of a rehabilitation plan include:
  - A. Benefits, rights and features under the Pension Plan, including post-retirement death benefits (other than the 50% qualified joint and survivorship annuity), 60-month guarantees, disability benefits not yet in pay status, and similar benefits;
  - B. Any early retirement benefit or retirement-type subsidy and any benefit payments option, other than a 50% qualified joint and survivorship annuity (the Husband and Wife Pension); and,
  - C. Benefit increases that were adopted or took effect less than 60 months before the Plan first entered the red zone (January 2008).

**However, under no circumstances is the level of your accrued normal retirement benefit payable at normal retirement age subject to reduction or elimination, except as provided under paragraph C. above relating to recent benefit increases.**

#### *Pension Plan Changes*

5. On November 19, 2008, the Board of Trustees adopted a rehabilitation plan that proposed various changes to the Pension Plan in order to improve the financial health of the Plan. The Plan's participating Unions and contributing Employers agreed to a schedule of changes as set forth under the rehabilitation plan. The Pension Plan sent you a notice describing those changes in 2009. The Board of Trustees has not revised the Rehabilitation Plan to provide for any additional changes in the benefits payable from the Pension Plan since April 2009.

#### *Employer Surcharges*

6. Contributing employers of a plan in the red zone are also required to pay a surcharge to help improve the Plan's financial health, until the employer agrees to and begins contributing under a collective bargaining agreement that implements the rehabilitation plan. Since the Pension Plan's participating Unions and contributing Employers agreed to a new collective bargaining agreement, as of January 1, 2009, that establishes a contribution rate in accordance with the rehabilitation plan and acknowledges the corresponding benefit changes, the employer surcharge is no longer applicable.

#### *Where to Get More Information*

7. Since the law requires that the Plan's funding status be reviewed and certified annually, notices like this one will be sent each year. You will also receive formal annual funding notices that provide details about the Plan's finances in addition to other communications about the Plan

that the Trustees send out from time to time. If you have any questions about this notice or about the Plan in general, please contact the Plan administrator's office at the number listed above.

Sincerely,

The Board of Trustees

cc: U.S. Department of Labor  
Pension Benefit Guaranty Corporation

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