

**Notice of Critical Status For
Local 810 Affiliated Pension Fund**

This is to inform you that on March 28, 2013 the Plan Actuary certified to the U.S. Department of the Treasury, and also to the Plan Sponsor, that the Local 810 Affiliated Pension Plan is in critical status for the plan year beginning January 1, 2013. 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 Actuary determined that the Plan was in critical status last year and is projected to have an accumulated funding deficiency for the 2013 plan year.

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. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. In February 2013 you were notified that:

- (1) Effective April 1, 2013, limit the compensation taken into account in calculating pension benefits to no more than \$100,000.
- (2) Effective April 1, 2013, for disability pensions: (a) require a participant to have worked a minimum of twenty years; and (b) reduce the amount of the disability pension by 3% per year for every year such disability pension benefit is received prior to age 65.
- (3) Effective April 1, 2013, eliminate the five-year deferred vested pension payable upon the attainment of age 55.
- (4) Reduce the multiplier (accrual rate) from \$45 to: (a) \$40, effective April 1, 2013; (b) \$35, effective January 1, 2014; and (c) \$30, effective January 1, 2015.
- (5) Effective January 1, 2014, reduce the early retirement benefit by one-half of one percent ($\frac{1}{2}\%$) per month to reflect the early commencement of the benefit; this represents the actuarially equivalent benefit to the normal retirement benefit.
- (6) Effective January 1, 2014, require individuals seeking a "30-Year Retirement Pension" to have attained age 60.

EBSA/PUBLIC DISCLOSURE
2013 APR 29 PM 4:24

**Notice of Critical Status For
Local 810 Affiliated Pension Fund**

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 30 days from the date of the change.

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:

- 20-year service benefit;
- 30-year service benefit;
- 36-month payment guarantees;
- Disability benefit (if not yet in pay status);
- Early retirement benefit or 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);
- Other similar benefits, rights, or features under the plan {provide identification}
Enhanced accrual upon attainment of age 55 and 15 years of service
Subsidized joint-and-survivor benefit

Where to Get More Information

For more information about this Notice, you may contact the Fund Office at 212-691-4100, 2409 38th Avenue, Long Island City, New York 11101. You have a right to receive a copy of the funding improvement plan from the Plan Administrator.