Notice of Critical Status
For
Plasterers and Cement Masons Local No. 94 Pension Plan

This is to inform you that on July 29, 2025 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 May 1, 2025. 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 is considered to be in critical status in the Plan Year ending April 30, 2026 because the Plan received special financial assistance from the Pension Benefit Guaranty Corporation under the American Rescue Plan Act.

Rehabilitation Plan

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. On or about March 4, 2013, you were notified that, in connection with the rehabilitation plan, the plan was amended effective May 1, 2013 to reduce certain adjustable benefits. On or about August 25, 2010, you were notified 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. Any reduction of adjustable benefits may only apply to participants and beneficiaries whose benefit commencement date is on or after August 25, 2010.

Effective May 1, 2019, benefits were further reduced and a portion of the plan’s pension liability was partitioned pursuant to the Multiemployer Pension Reform Act of 2014 (MPRA). You were previously notified of the details of these benefit reductions in April of 2018 and provided the opportunity to vote on the proposed reductions. Following a vote in favor of the reductions, the United States Department of the Treasury approved the reductions and plan partition.

On September 11, 2023, the PBGC approved the Trustees’ application for SFA to the Plan. The fund received financial assistance in the amount of $3,222,915 on October 12, 2023. As a result, suspended benefits were reinstated and the Plan’s partition was rescinded.

Because the Plan received special financial assistance from PBGC under the American Rescue Plan Act, the Plan is required to be administered in accordance with conditions described in PBGC regulations. These conditions relate to benefit increases; allocation of plan assets; reductions in employer contribution rates; diversion of contributions to, and allocation of expenses to, other benefit plans; transfers or mergers; and withdrawal liability. Under certain circumstances, a plan may request approval from PBGC for an exception from the conditions relating to benefit increases, reductions in employer contribution rates, transfers or mergers, and withdrawal liability.

If the Plan reduced your benefits under the Multiemployer Pension Reform Act (MPRA), the Plan must reinstate your benefits going forward. If you were in pay status on October 12, 2023, the Plan must also pay you a make-up payment equal to the total of the benefits that you did not receive because of the reduction. You should have already received a notice of reinstatement describing your reinstated benefits. If you did not receive a notice of reinstatement, contact Joe Moskauski at 7821 Bartram Avenue, Suite 102, Philadelphia, PA 19153, or by phone at (215) 468-0237.

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:

- Early retirement benefit or retirement-type subsidy;
- Sixty-month and one hundred twenty-month payment guarantees; and
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA).

Accrued Benefits

Under MPRA, suspension of accrued benefits can include reduction of the normal retirement age benefit for active employees and terminated employees who have not started their pension as well as a reduction in the benefit currently payable to retirees and beneficiaries. Any suspension of accrued benefits may not reduce the level of a participant's benefit to less than 110% of the PBGC benefit guarantee level nor may it reduce benefits for any participant on a disability pension or who is over the age of 80 (and any benefit suspension is phased in from age 75 to 80).

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. The surcharge generally ceases upon the adoption of a rehabilitation plan by the Trustees and its approval by the parties to the collective bargaining agreement.

Where to Get More Information

For more information about this Notice, you may contact the plan administrator, Joe Moskauski at 7821 Bartram Avenue, Suite 102, Philadelphia, PA 19153, or by phone at (215) 468-0237. For identification purposes, the official plan number is 001 and the plan sponsor's employer identification number or "EIN" is 23-6445411. You have a right to receive a copy of the rehabilitation plan from the plan.

Issued: August 2025