

## Notice of Endangered Status For

### U.A. Plumbers and Steamfitters Local No. 22 Pension Fund

This is to inform you that on July 25, 2011 the actuary for the U.A. Plumbers and Steamfitters Local No. 22 Pension Fund (the "Plan") has certified to the U.S. Department of the Treasury, and also to the Board of Trustees of the Plan, that the Plan is in endangered status for the plan year beginning May 1, 2011. Federal law requires that you receive this notice.

#### Endangered Status

The Plan is considered to be in endangered status because the Plan's actuary has determined that the Plan's funded percentage for the plan year beginning May 1, 2011 is less than 80%. As of May 1, 2011, the Plan's funded percentage has been determined to be 74.71%.

#### Funding Improvement Plan and Possibility of Reduction in Benefits

Federal law requires pension plans in endangered status to adopt a "funding improvement plan" aimed at restoring the financial health of the plan within 240 days after the notification of endangered status. The funding improvement plan must be annually updated to reflect the change in contribution rates that have come into effect.

The Plan was determined to be in endangered status as of May 1, 2008 and, as a result, the Plan's trustees adopted a funding improvement plan on February 13, 2009. That funding improvement plan increased employer contributions to the Plan, capped the accrual of Credited Service at one in a Plan Year, and increased the number of hours of service needed to accrue a Year of Credited Service. The bargaining parties have since adopted a collective bargaining agreement with employer contributions consistent with the funding improvement plan.

The funding improvement plan will be reviewed annually to determine if the Plan is meeting the benchmarks. The funding improvement plan may need to be adjusted if the assumptions originally used are not being met. These assumptions include investment returns, hours worked, disability rates and mortality rates. If the Trustees determine that additional adjustments to contribution rates or future benefit accrual rates are necessary, you will be notified. The Plan is currently meeting its goals under the funding improvement plan.

Once a funding improvement plan has been adopted, the Plan may not be amended so as to increase benefits, unless the Plan's actuary certifies that the benefit increases are consistent with the funding improvement plan and can be paid for out of contributions not required by the funding improvement plan.

#### Where to Get More Information

For more information about this Notice, you may contact the Benefit Fund Office at (716) 662-1818 or by mail at 3651 California Road, Suite 3, Orchard Park, New York 14127. A copy of the funding improvement plan is available on the Plan's website, [www.local22benefits.com](http://www.local22benefits.com).

Dated: August 19, 2011