



I.B.E.W. Local 43 and Electrical Contractors Trust Funds  
P O Box 2218 · Syracuse, New York 13220-2218  
(315) 474-5729 · (800) 474-5744  
FAX (315) 474-1588 

**Certified Mail**

October 11, 2013

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

To Whom It May Concern:

Attached for your records is a copy of the International Brotherhood of Electrical Workers Local 43 and Electrical Contractors Notice of Endangered Status.

Sincerely,

Sheila Fitzmaurice  
Plan Manager

IBEW Local 43 Health & Welfare, Pension and Annuity Funds

688A/PUBLIC DISCLOSURE  
2013 OCT 21 PM 2:41



I.B.E.W. Local 43 and Electrical Contractors Trust Funds  
P O Box 2218 · Syracuse, New York 13220-2218  
(315) 474-5729 · (800) 474-5744  
FAX (315) 474-1588 

## **Notice of Endangered Status**

### **International Brotherhood of Electrical Workers Local 43 and Electrical Contractors Pension Plan**

To: Participants, Beneficiaries, Contributing Employers and Union Officers.

This is to inform you that on September 27, 2013, as required by federal law, the actuary for the International Brotherhood of Electrical Workers Local 43 and Electrical Contractors Pension Plan (the "Fund") certified to the U.S. Department of the Treasury and to the Board of Trustees that the Fund is in endangered status for the Plan Year beginning July 1, 2013. That same federal law requires that you receive this notice.

#### Introduction

The Pension Protection Act ("Act"), signed into law in 2006, is intended to improve the financial condition of pension funds. The Act introduced several formal safeguards and added notification requirements for Trustees to share more information about a fund's financial circumstances with participants, contributing employers, and others directly related to the pension plan. Many of the Act's safeguards relate to funding, which, in simplest terms, is how much a pension plan has coming in, going out, and what is in reserve (or "in the bank") for future obligations. The safeguards are intended to prevent future funding problems and correct those that have already developed.

The Act requires us to test the Fund annually to determine its official funding status. The federal law has adopted specific phrases to classify a fund's status at the time of the report and these have come to be identified with a "color code." Funds that are labeled as "seriously endangered" or "endangered" status (commonly known as yellow zone) or "critical" status (or, red zone) must notify all fund participants, beneficiaries, unions, and contributing employers of the fund's status, as well as take corrective action to restore the fund's financial health.

#### Fund's Status – Yellow Zone

The Fund is in endangered status (yellow zone) as of July 1, 2013, based on the actuary's determination that the Fund is less than 80% funded.

#### Funding Improvement Plan

The Act requires that a fund in the yellow zone adopt a Funding Improvement Plan designed to improve its funded position and to meet the statutory funding requirements. The Trustees adopted a Funding Improvement Plan on May 24, 2012, which requires no further action in order for the plan to emerge from the yellow zone by the end of the Funding Improvement Period. The

Trustees must continue to monitor and update the Funding Improvement Plan if required. Projections based on the 2012 valuation indicate that the current contribution levels are sufficient to meet the required benchmarks of the funding improvement plan.

What's Next

We understand that legally required notices like this one can create concern about the Fund's future. Be assured that the Board of Trustees takes very seriously its obligation to preserve the financial viability of the Fund. With the assistance of the Fund's actuary, counsel and other professionals, and working with the contributing employers and the Union, the Trustees will monitor the Funding Improvement Plan so that the plan emerges from Endangered Status. As a final note, since the Fund is influenced by economic and financial variables beyond our control (such as market volatility and changes in employment and/or the number of contributing employers), unexpected developments can affect the Fund's status and any future corrective actions needed.

For more information about this notice or the Fund, you may contact the Fund Office at the address or phone number listed at the top of this letter.

Sincerely,

The Board of Trustees

Date: October 2013

*As required by law, this notice is being provided to the Pension Benefit Guaranty Corporation (PBGC) and the Department of Labor.*