

United Construction Workers Pension Fund
(Employer Identification Number: 41-6175080, Plan Number: 001) 09 APR - 5 PM 3:21

Notice of Election

This Notice is to inform you that, pursuant to Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA), the Trustees of the United Construction Workers Pension Fund have elected that the funding status of the Fund for the plan year beginning January 1, 2009 and ending December 31, 2009, shall be the same as the funding status of the Fund for the preceding plan year beginning January 1, 2008.

The Fund's actuaries have certified that, for the plan year beginning on January 1, 2008, the Fund was not considered to be endangered, seriously endangered or critical pursuant to the Pension Protection Act of 2006 (PPA).

The election may only be done for the 2009 plan year. If, however, the election permitted under WRERA had not been made, the Fund would have been certified as critical for the plan year beginning January 1, 2009. If the Fund is certified as endangered, seriously endangered, or critical for the plan year beginning January 1, 2010, you will receive a notice of the Fund's funded status and steps will be taken by the trustees to improve the funded status (e.g., increase employer contributions, reduce future benefit accruals, etc.)

If the Fund is certified as being in critical status for the plan year beginning on January 1, 2010, the steps that will have to be taken to improve the Fund's funded status will include a surcharge on employer contributions and may include amendments to reduce early retirement benefits, or other adjustable benefits for such individuals.

If you have any questions regarding this Notice, please contact Doug Reese at 412 Lakeland Drive NE, Willmar, MN 56201-0738, or (320) 235-4874.