

NOTICE OF ELECTION TO RETAIN THE PLAN STATUS
for the
IDAHO OPERATING ENGINEERS – EMPLOYERS PENSION PLAN
(Plan Year Beginning July 1, 2009)

Nearly all financial markets experienced a significant decline during 2008. In response to the economic crisis, Congress enacted the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA). WRERA provides temporary funding relief to multiemployer pension plans. Specifically, Section 204 of WRERA allows trustees to elect to retain the plan's 2008 certified funded status for the 2009 plan year.

Plan Information

Plan Name	Idaho Operating Engineers – Employers Pension Plan
Taxpayer Identification Number (EIN)	91-6075538
Plan Number	001

Background

Under federal pension law, a plan's enrolled actuary must prepare a certification each year concerning the plan's funded status.

If the plan has funding or liquidity problems, or both, the plan will be certified in endangered status (yellow zone) or critical status (red zone) depending on the severity of the problem. A plan that does not have a funding or liquidity problem will be certified in the green zone.

If a plan enters endangered or critical status, the trustees of the plan are required to adopt a plan to improve the plan's funded status over a specified period of time. This plan may involve reductions in benefits, increases in employer contributions, or both. The plan to improve the plan's funded status must then be presented to the bargaining parties for approval.

The Plan's enrolled actuary certified that the Plan was in the green zone for the Plan Year beginning July 1, 2008.

The Plan's enrolled actuary certified the Plan as endangered (yellow zone) for the Plan Year beginning July 1, 2009.

WRERA Election

Under WRERA Section 204, the Board of Trustees has elected to "freeze" the Plan's July 1, 2008 Plan Year green zone status and have it apply to the Plan's July 1, 2009 Plan Year. That is, the Trustees have elected to treat the Plan as being neither in endangered or critical status for the Plan Year beginning July 1, 2009.

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Additional WRERA Election Information

Please note the following:

- (i) The election applies only for the 2009 Plan Year.
- (ii) If the Plan is certified to be in endangered or critical status for the 2010 Plan Year, the Board of Trustees will provide notice of the Plan's status (i.e., endangered or critical) and steps will have to be taken to improve the Plan's funded situation, which steps may include increases in employer contributions and reductions in future benefit accruals.
- (iii) If the Plan is certified to be in critical status for the 2010 Plan Year, the steps that will have to be taken to improve the Plan's funded situation will include a surcharge on employer contributions and the suspension of the payment of lump sums and similar accelerated distributions for individuals who begin receiving benefits after notice is provided of the Plan's critical status, and may include amendments to reduce early retirement benefits or other adjustable benefits for such individuals.

Where to Get More Information

For more information about this notice, you may contact:

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