CENTRAL STATES PENSION FUND

April 24, 2019

CERTIFIED MAIL

U.S. Department of Labor
EBSA Public Disclosure Room, N-1515
200 Constitution Ave NW
Washington, DC 20210

Dear Sir or Madam:

Enclosed is a copy of the Notice of Critical and Declining Status for Central States, Southeast and Southwest Areas Pension Fund for the plan year beginning January 1, 2019.

If you have any questions, please contact me at (847) 939-2445.

Sincerely,

Susan M. Rogowski

SUSAN M. ROGOWSKI
DIVISION MANAGER, FINANCIAL ACCOUNTING AND REPORTING

cc: Thomas C. Nyhan, Executive Director
Peter Priede, Senior Director of Employer Services, Pension and Finance
Janice M. Jankowicz, Director of Finance
James P. Condon, Deputy Chief Counsel
John Franczyk, General Counsel
Charles Lee, Deputy General Counsel
Bradley Grimes, Department Manager, Financial Accounting & Reporting

Enclosure

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Notice of Critical and Declining Status
Central States, Southeast and Southwest Areas Pension Plan

This is to inform you that on March 29, 2019 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical and declining status for the plan year beginning January 1, 2019. Federal law requires that you receive this notice.

Critical and Declining Status

The plan is considered to be in critical and declining status because it has funding or liquidity problems, or both. More specifically, the plan's actuary determined that: (1) the plan has an accumulated funding deficiency for the current plan year and over the next three plan years, the plan is projected to have an accumulated funding deficiency for the 2020 through 2022 plan years; (2) the funded percentage of the plan is less than 65%, the plan has an accumulated funding deficiency for the current plan year, and over the next four plan years, the plan is projected to have an accumulated funding deficiency for the 2020 through 2023 plan years; (3) the sum of the plan's normal cost and interest on the unfunded benefits for the current plan year exceeds the present value of all expected contributions for the year; the present value of vested benefits of inactive participants is greater than the present value of vested benefits of active participants; the plan has an accumulated funding deficiency for the current plan year, and over the next four plan years, the plan is projected to have an accumulated funding deficiency for the 2020 through 2023 plan years; (4) the funded percentage of the plan is less than 65%, and the sum of the fair market value of plan assets plus the present value of projected contributions for the current plan year and each of the 6 succeeding plan years is less than the present value of all nonforfeitable benefits projected to be payable under the plan during the current plan year and each of the 6 succeeding plan years (plus administrative expenses for such plan years); (5) the plan was in critical status last year, the plan has an accumulated funding deficiency for the current plan year, and over the next 9 years, the plan is projected to have an accumulated funding deficiency for the 2020 through 2028 plan years; and (6) the plan is projected to become insolvent in 2025.

Rehabilitation Plan

Federal law requires pension plans in critical and declining status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. This is the fifth year the plan has been in critical and declining status (such status was added by the Multiemployer Pension Reform Act of 2014 (MPRA)). The prior eight years the plan was in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. If your adjustable benefits were reduced or eliminated, you would have received a separate notice. On April 8, 2008, you were notified that as of April 8, 2008 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. If the trustees of the plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after April 8, 2008.

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:

☒ Post-retirement death benefits;
☒ Sixty-month payment guarantees;
☒ Disability benefits (if not yet in pay status);

- ☒ Early retirement benefit or retirement-type subsidy;
- ☒ Benefit payment options other than a qualified joint-and survivor annuity (QJSA);
- ☐ Recent benefit increases (i.e., occurring in past 5 years);
- ☐ Other similar benefits, rights, or features under the plan.

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.

Where to Get More Information

For more information about this Notice, you may contact Thomas C. Nyhan, Executive Director, Central States, Southeast and Southwest Areas Pension Plan, 9377 West Higgins Road, Rosemont, IL 60018, phone number 1-800-323-5000. You have a right to receive a copy of the rehabilitation plan from the plan.