

UA Local 190 Plumbers/Pipefitters/Service Technicians/Gas Distribution Pension Plan

EIN: 38-6065579 Plan No: 001

Notice of Revocation of Election under WRERA as of June 1, 2009

This notice is being provided in accordance with the Worker, Retiree and Employer Recovery Act of 2008 (WRERA) and the Pension Protection Act of 2006.

WRERA temporarily allows the Plan's Trustees to retain the Plan's prior year "funding zone" status. The Trustees had previously elected to retain the Plan's 2008 Endangered or "Yellow" Zone status under Pension Protection Act as of June 1, 2009. However, the Trustees have chosen to revoke that election.

The Plan's Enrolled Actuary previously certified that the Plan is a Critical or "Red" Zone Plan as of June 1, 2009, and now that the WRERA election is revoked, that certification is now in effect. A copy of that certification is attached.

The Plan is considered to be in Critical status because the Plan is less than 65% funded and is projected to have a funding deficiency within five years. As a result of the Plan being in Critical status, the Plan is required to adopt a Rehabilitation Plan aimed at restoring the financial health of the Plan. The law permits pension plans to reduce, or even eliminate, benefits called "Adjustable Benefits" as part of a Rehabilitation Plan. The Plan offers the following Adjustable Benefits which are permitted to be reduced or eliminated as part of the Rehabilitation Plan the Pension Plan may adopt:

- a) A 120 month payment guarantee
- b) Early retirement benefits or favorable early retirement reductions
- c) Disability benefits (if not in pay status)
- d) Benefit payment options other than an actuarially equivalent qualified Joint & Survivor annuity
- e) Favorable Joint & Survivor Annuity reductions that enhance the Joint & Survivor Annuity

Basic benefits currently payable at normal retirement cannot be changed.

The Trustees have adopted a Rehabilitation Plan and expect to finalize it soon. Even though Adjustable Benefit reductions are permitted to apply to members who retire during the June 1, 2009 – May 31, 2010 Plan Year, **the Trustees have provided that the Rehabilitation Plan will not affect participants whose retirement effective date is before June 1, 2010.** You are entitled to at least 30 days of advance notice before Adjustable Benefit reductions occur. A notice of reductions that will take effect on June 1, 2010 will be forwarded soon.

Also, while the Plan is in Critical status, participants cannot elect the Social Security Leveling Option if their first pension payment begins after the date this notice was sent (listed below). Participants currently receiving that benefit will continue to receive it. Participants whose pensions start while the Plan is in the Red Zone will have the opportunity to switch to the Social Security Leveling Option when the Plan emerges from the Red Zone, which could be as early as June 1, 2010.

For more information about this notice, you may contact the Administrative Manager, listed below. You also have a right to receive a copy of the Rehabilitation Plan from the Plan.

Mr. Thomas Hayden, Administrative Manager
Benefit Advisors, Inc.
33035 Schoolcraft Rd.
Livonia, MI 48150
1-888-390-7473

DATE SENT: December 31, 2009