

RADIO, TELEVISION AND RECORDING ARTS

Pension Plan

EBSA/PUBLIC DISCLOSURE
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April 23, 2012

NOTICE OF CRITICAL STATUS FOR RADIO TELEVISION AND RECORDING ARTS PENSION FUND

The purpose of this Notice is to inform you that, on March 30, 2012, the actuary for the Radio, Television and Recording Arts Pension Fund ("Fund") certified to the U.S. Department of the Treasury, and also to the Board of Trustees of the Fund, that the Fund is in critical status for the Plan Year beginning January 1, 2012. Federal law requires that you receive this Notice.

The Fund is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the plan's actuary has determined that there will continue to be a funding deficiency in the current Plan Year.

Rehabilitation Plan and Possibility of Reduction in Benefits

Federal law requires pension plans in critical status 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 Fund's Board of Trustees adopted its most recent Rehabilitation Plan on December 12, 2011. If any of your future benefits will be reduced under the Rehabilitation Plan, you will receive a separate notice identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of any 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 apply only to those participants and beneficiaries whose benefit commencement date is on or after April 30, 2008, the date of the initial notice of the Fund's critical status. But, you should know that whether or not the Fund reduces adjustable benefits in the future, effective as of April 30, 2008, the Fund is not permitted to pay lump sum benefits of \$5,000 or more (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status.

Adjustable Benefits

The Fund offers the following adjustable benefits which may be reduced or eliminated as part of any rehabilitation plan the Fund may adopt:

- Post-retirement death benefits;
- Disability benefits (not yet in pay status);
- Early retirement benefit or retirement-type subsidy;
- Benefit payment options other than a qualified joint and survivor annuity (QJSA);



- X Other similar benefits, rights or features under the Plan (*e.g.*, a Social Security level-income option and certain lump-sum distributions)

Employer Surcharge

The law requires that all contributing employers pay to the Fund a surcharge to help correct the Fund'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 Fund under the applicable collective bargaining agreement. In general, a 5% surcharge was applicable in the initial critical year (2008) and a 10% surcharge has been applicable for each succeeding Plan Year thereafter in which the Fund is in critical status, until the effective date of a collective bargaining agreement or other agreement with the employer incorporating a schedule of the Rehabilitation Plan.

Where to Get More Information

For more information about this Notice, you may write to the Fund Office at 1501 Broadway, Suite 1724, New York, NY 10036 or call the Fund Office at 1-646-237-1671. You have a right to receive a copy of the Rehabilitation Plan from the Fund.