

# *Laborers' Trust Funds*

7130 Columbia Gateway Drive, Suite A  
Columbia, MD 21046

Phone 410-872-9500

Toll Free 866-553-6559

Fax 410-872-1275

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## **To All Participants in the Laborers' District Council Pension & Disability Trust Fund (the "Fund"):**

As you may know, the Pension Protection Act of 2006 (PPA) added requirements for measuring the financial health of multiemployer plans such as ours.

The PPA requires that a pension plan's actuary determines the plan's status under these new rules and to certify that status ~~annually~~ annually. If the plan's status is "endangered" (or in the "yellow" zone) or "critical" (or in the "red" zone), the Trustees must notify all plan participants, beneficiaries, participating unions and contributing employers in writing and take corrective action to restore the financial health of the plan. Plans in the "green" zone, however, are not required to take any action due to the financial condition of the plan.

As you were informed last year at this time, the Laborers' District Council Pension and Disability Trust Fund (EIN: 52-0749130) was in the "green" zone for the last plan year. We are providing this notice to you, pursuant to the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA), to let you know that an election has been made under Section 204 of WRERA to treat the Fund as being neither in endangered nor critical status for the plan year beginning on January 1, 2009 and without this election the Fund would have been Yellow this year. Please note, this election under Section 204 of WRERA applies only for the current plan year through December 31, 2009. If the plan is certified to be in endangered or critical status next year, the Fund's Trustees will provide notice of the Fund's status and, if so, what steps have been taken to improve the level of funding (such steps may include possible increased contributions by employers and reductions in future benefit accruals).

The Trustees have worked diligently over the years to ensure the Fund's financial health and use professional advisors (e.g., actuaries, investment advisors, administrators and legal advisors) to monitor the Fund's financial health. Our goal is, and always has been, to provide our participants and their families with secure retirement benefits and we are confident that the Fund will continue to do so in the future.

Please feel free to contact the Fund's office at the number or address above if you have any questions, or would like any additional information regarding this matter.

Sincerely,

**The Board of Trustees**