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**BRICKLAYERS AND ALLIED CRAFTWORKERS  
LOCAL 2 ALBANY, NEW YORK PENSION FUND  
300 Centre Drive  
Albany, New York 12203  
Telephone: (518) 456-0259**

**EIN: 14-6075802, PLAN NUMBER: 001**

September 27, 2009

**TO:**

- Individuals who are participants and beneficiaries in the Bricklayers and Allied Craftworkers Local 2 Albany, New York Pension Fund ("Fund") on May 1, 2009; and
- Each alternate payee of a participant described above who may reasonably be expected to be affected by this Notice; and
- Bricklayers and Allied Craftworkers Local 2 and the employers that participate in the Fund

The Pension Protection Act of 2006 ("PPA") created the following funded status level for pension plans such as the Bricklayers and Allied Craftworkers Local 2 Albany, New York Pension Fund ("Fund"): "endangered," "seriously endangered," and "critical" status. The PPA requires that we annually notify you of the Fund's funded status.

**The Plan's Status for 2009**

Under the PPA, within the first ninety (90) days of each plan year, a pension plan's actuary must certify the plan's funded status level. On July 30, 2009, the Fund's Actuary certified that the Fund is in the "Endangered" Status starting on the Plan Year that commenced on May 1, 2009. Typically, the board of trustees of a plan in "Endangered" Status is required to develop a Funding Improvement Plan, which would include increases to contribution rates or revisions to benefit levels to return the plan to a satisfactory funded status. However, under Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"), the Trustees exercised their right on August 28, 2009 to elect to apply the Fund's 2008 funded status, which was neither "Endangered," "Seriously Endangered" nor "Critical," for the Plan Year beginning on May 1, 2009.

### **The Plan's Status for 2010**

This election to be treated as neither "Endangered," "Seriously Endangered" nor "Critical" applies only for the current Plan Year beginning on May 1, 2009. If the Fund is certified to be in "Endangered," "Seriously Endangered" or "Critical" status for the Plan Year beginning May 1, 2010, the Trustees will provide notice (i) of the Fund's status (*i.e.*, "Endangered," "Seriously Endangered" nor "Critical") and (ii) the steps that will have to be taken to improve the Fund's funded situation. These steps may include increases in contributions and reductions in future benefit accruals.

### **Where to Get More Information**

The Plan Sponsor of the Bricklayers and Allied Craftworkers Local 2 Pension Fund is the Board of Trustees. For more information about this Notice, you may contact the Administrator, Bricklayers and Allied Craftworkers Local 2 Pension Fund, 300 Centre Drive, Albany, New York 12203, Telephone: (518) 456-0259. You have a right to receive a copy of the actuary's certification or the Trustees' WRERA election from the Fund Office upon written request.

cc: United States Department of Labor  
Employee Benefits Security Administration  
✓ Public Disclosure Room, N-1513  
200 Constitution Avenue, N.W.  
Washington, DC 20210

Pension Benefit Guaranty Corporation  
Multiemployer Program Division  
1200 K Street, N.W., Suite 930  
Washington, D.C. 20005

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