LOCAL 2066 PENSION FUND

This is to inform you that on July 30, 2019 the Local 2066 Pension Fund's actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan will be in critical and declining status for the plan year beginning May 1, 2019. Federal law requires that you receive this notice.

Critical Status

The plan is considered to be in critical and declining status because it has funding or liquidity problems, or both. More specifically, the Local 2066 Pension Fund's (Pension Fund) actuary determined that the Local 2066 Pension Fund is projected to have an accumulated funding deficiency in the current fiscal year and become insolvent in the next twenty-year period.

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 Pension Fund. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. If the trustees of the Pension Fund determine that additional 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 will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the additional reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after August 31, 2019. But you should know that whether or not the plan reduces adjustable benefits in the future, effective as of August 31, 2008 the Pension Fund was 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.

Rehabilitation Plan

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the Pension Fund. This is the fourth year the Pension Fund has been projected to be in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. If the trustees of the Pension Fund determine that additional benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those additional reductions. Any additional reduction of adjustable benefits (other than a repeal of a recent benefit increase) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, any additional reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after August 31, 2019.

Finally, because of the critical status of the Plan, the Trustees adopted a rehabilitation plan that ultimately became a reasonable measures rehabilitation plan aimed at forestalling insolvency that was based on the elimination of future benefit accruals and the elimination of the early retirement benefit option. This original rehabilitation plan was implemented February 4, 2009 and was intended to satisfy the requirements including the forestalling of insolvency. Furthermore, the rehabilitation plan that included the elimination of future accruals was originally adopted effective April 30, 2006 based on the actuarial status of the Local 2066 Pension Fund at that time.

Adjustable Benefits

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

Early retirement benefit or retirement-type subsidy;
Benefit payment options other than a qualified joint-and survivor annuity (QJSA);

Employer Surcharge

The law requires that all contributing employers pay to the Pension 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 Pension Fund 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 and has not adopted a rehabilitation plan. .

Where to Get More Information

For more information about this Notice, you may contact Michael Scotto at 973-887-1718 or at 50 Parsippany Road, Parsippany, NJ 07054. You have a right to receive a copy of the rehabilitation plan from the plan.