

NOTICE OF CRITICAL STATUS
FOR
IDAHO SIGNATORY EMPLOYERS - LABORERS PENSION PLAN

This is to inform you that on March 31, 2022, the Plan Actuary certified to the U.S. Department of the Treasury, and also to the Board of Trustees for the Idaho Signatory Employers – Laborers Pension Plan (“Plan Sponsor”) that the Idaho Signatory Employers – Laborers Pension Plan (“Plan”) is in critical status for the Plan Year beginning January 1, 2022. Federal law requires that you receive this notice.

Critical Status

The Plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, on September 1, 2021, the Plan applied to receive Special Financial Assistance (SFA) from the Pension Benefit Guarantee Corporation (PBGC), under the terms of the American Rescue Plan Act of 2021 (ARP). The PBGC approved the application on December 23, 2021, and paid approximately \$13.9 million to the Plan on January 27, 2022. Under the provisions of the ARP, because the Plan received SFA, it will be deemed “critical” through December 31, 2051.

Rehabilitation Plan

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. This is the fourteenth year the Plan has been in critical status or critical and declining status. Critical and declining status was added to federal law starting in 2015. On December 28, 2021, the Trustees elected to extend the Rehabilitation Period by five years, through December 31, 2028, as permitted under the American Rescue Plan Act of 2021 (ARP).

The law permits pension plans in critical status to reduce, or even eliminate, benefits called “adjustable benefits” as part of a rehabilitation plan. In August 2008 and April 2017, you were notified that the Plan reduced or eliminated adjustable benefits. If the Plan Sponsor determines that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions.

Adjustable Benefits

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

- Post-retirement death benefits;
- Sixty-month payment guarantees;
- Disability benefits (if not yet in pay status);
- Early retirement benefit or retirement-type subsidy;
- Benefit payment options other than a qualified joint and survivor annuity (QJSA);
- Recent benefit increases (i.e., occurring in past 5 years);
- Other similar benefits, rights, or features under the Plan including pre-retirement death benefits.

Benefit Suspensions

Under the provisions of the ARP, plans that receive SFA are not eligible to apply for benefit suspensions beyond the adjustable benefits described above.

Where to Get More Information

For more information about this Notice, you may contact The William C. Earhart Co., Inc., P.O. Box 4148, Portland, Oregon 97208. Phone: (503) 460-5248 or (877) 405-8340.

You have a right to receive a copy of the Rehabilitation Plan.