

## **Notice Of Critical Status For Bricklayers' Local 8 And Plasterers' Local 233 Pension Plan**

This Notice is to inform you that on March 25, 2024 the plan actuary certified to the U.S. Department of the Treasury, and also to the Plan Sponsor, the Board of Trustees (the "Trustees") of the Bricklayers' Local 8 and Plasterers' Local 233 Pension Plan (the "Plan"), that the Plan is in critical status for the plan year beginning January 1, 2024. Federal law requires that you receive this Notice.

### **Critical Status**

The Plan is considered to be in critical status for the 2024 plan year because it has funding or liquidity problems, or both. More specifically, the Plan's actuary has determined that the Plan accumulated a funding deficiency for the current plan year (without the benefit of the five-year extension of amortization bases).

### **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 second year the plan has been in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On or about August 31, 2023, you were notified that the plan reduced or eliminated adjustable benefits. On or about April 6, 2023, you were notified that as of April 30, 2023 the plan is 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. If the trustees of the plan determine that further 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 (other than a repeal of a 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 may only apply to participants and beneficiaries whose benefit commencement date is on or after April 30, 2023.

### **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:

- 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);
- Pre-retirement death benefit for single participants; and/or
- Post-retirement lump sum death benefits.

### **Employer Surcharge**

The law requires that all contributing employers pay to the Plan a surcharge to help correct the Plan'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 Plan 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, until certain conditions are met. The Trustees understand that the surcharge does not currently apply to any employers in this Plan as it ceased upon the adoption of a rehabilitation plan by the Trustees and its approval by the parties to the collective bargaining agreement(s).

### **Where To Get More Information**

For more information about this Notice, you may contact the Plan administrator, Brian O'Hara, CEBS, Benefit Processing, Inc., 20 Brace Road, Suite 114, Cherry Hill, NJ 08034-2635 or call (800) 847-0902 or email [BOHara@bpiTPA.com](mailto:BOHara@bpiTPA.com).

*April 2024*