

Plasterers and Cement Masons Local No. 94 Pension Fund

2207 Forest Hills Drive, Suite 14 • P. O. Box 6480 • Harrisburg, PA 17112-0480

(717) 671-8551 • FAX (717) 671-8602

D.H. EVANS ASSOCIATES, INC.

Contract Administrator

EBSA/PUBLIC DISCLOSURE

2009 AUG 19 AM 7:00

August 11, 2009



U.S. Dept of Labor
Employee Benefits Security Administration
Public Disclosure Room, N – 1513
200 Constitution Ave, N,W,
Washington, DC 20210

RE: Plasterers and Cement Masons Local #94 Pension Fund

Gentlemen/Ladies:

Enclosed please find a Notice of Election to Freeze the Status of the Funds 2009 Plan Year for the above Pension Fund.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jill M. Sheetz".

Jill M. Sheetz

D.H. Evans Associates, Inc.
Contract Administrator

JMS

Enclosures: Notice 8/11/2009

94-funding-uslabor-082009

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NOTICE OF ELECTION TO FREEZE THE PLASTERERS AND CEMENT MASONS LOCAL NO. 94 PENSION FUND'S FUNDING STATUS FOR THE FUND'S 2009 PLAN YEAR

To: All Participants, Union, Contributing Employers, Pension Benefit Guaranty Corporation (PBGC), and United States Department of Labor (DOL)

Date: August 11, 2009

This Notice is to inform you that on May 28, 2009, the Board of Trustees of the Plasterers and Cement Masons Local No. 94 Pension Fund (the "Fund") elected to freeze the Fund's funding status, as permitted by Section 204(a) of the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") for the Plan Year beginning on May 1, 2009. WRERA requires the Board of Trustees of the Fund to provide notice of this election to the Participants, Union, PBGC and DOL.

Under guidance provided by the Secretary of the Treasury through the Internal Revenue Service, the Fund is required to provide you with the following information relating to the Board of Trustees' decision to freeze the Fund's funding status:

- (a) Name: Plasterers and Cement Masons Local No. 94 Pension Fund
EIN: 23-6445411
Plan No.: 001
- (b) The election has been made under Section 204 of WRERA to treat the Fund as being endangered for the Plan Year beginning on May 1, 2009.
- (c) The Fund's actuary, based on the funding requirements of the Internal Revenue Code, as amended by the Pension Protection Act of 2006, certified to the Fund's Board of Trustees that the Fund's funding status for the Plan Year beginning May 1, 2009 is endangered.
- (d) This election only applies to the Plan Year beginning May 1, 2009, and does not apply to any future Plan Years.

If the Fund's actuary certifies that the Fund is in endangered or critical status for the Plan Year following this election year, the Board of Trustees will provide notice of the Fund's status—*i.e.*, whether it is endangered or critical—for the following year, and the steps that will be taken to improve the Fund's funding status, which steps may include increases in contributions and reductions in future benefit accruals.

- (e) If the Fund is certified to be in critical status for the Plan Year following this election year, the steps that will have to be taken to improve the Fund's funding status will include a surcharge on employer contributions after notice is provided of the Fund's critical status, and may include amendments to the Fund's Plan of Benefits to reduce early retirement benefits or any other adjustable benefits for Fund Participants.
- (f) For more information about this Notice, you may contact the Fund's Contract Administrator, D. H. Evans Associates, Inc., 2207 Forest Hills Drive, Suite 14, P. O. Box 6480, Harrisburg, PA, 17112; Phone: (717) 671-8551, Toll Free: 1-800-636-7632.
- (g) Since receiving the certification from the Fund's actuary, the Board of Trustees of the Fund have begun a comprehensive review of the Fund's funding status in consultation with the Fund's actuary for purposes of determining what action can be taken during this current freeze Plan Year to improve the Fund's funding status. Rest assured that the Board of Trustees remain committed to operating the Fund on a financially sound basis while meeting all federally mandated requirements. Furthermore, the Board of Trustees intend to continue their commitment to provide all Participants with Pension benefits which will give them an ability to obtain a secure financial future.