



BRIDGE, STRUCTURAL, ORNAMENTAL AND REINFORCING IRONWORKERS  
LOCAL 207

## PENSION AND ANNUITY FUNDS

April 21, 2008

**Certified Mail**  
**Return Receipt Requested**

Secretary of Labor  
U.S. Department of Labor  
200 Constitution Ave, NW  
Washington, DC 20210

Re: Notice of Critical Certification for Bridge, Structural, Ornamental & Reinforcing  
Ironworkers Local Union No. 207 Pension Fund (EIN 34-6720162 / PN 001)

Dear Madame Secretary:

As required by Internal Revenue Code Section 432(b)(3)(D)(i), this is to inform you that the above referenced plan has been certified by the plan actuary to be in critical status as defined in Code Section 432(b)(2) for the plan year beginning January 1, 2008. The date of the certification is March 24, 2008. A copy of the Notice provided to participants, participating employers, local unions, retirees and beneficiaries is enclosed.

Please let us know if you have any questions.

Sincerely,

Board of Trustees  
Bridge, Structural, Ornamental & Reinforcing Ironworkers  
Local Union No. 207 Pension Fund

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**BRIDGE, STRUCTURAL, ORNAMENTAL AND REINFORCING**

**IRONWORKERS LOCAL 207 PENSION FUND**

694 Bev Road, Suite A • Boardman, Ohio 44512 • Phone (330) 726-3745 • Fax (330) 726-3893

**Notice of Actuary's Certification of Critical Status of the  
Bridge, Structural, Ornamental, and Reinforcing Ironworkers  
Local Union No. 207 Pension Fund under the  
Pension Protection Act of 2006**

April 21, 2008

Dear Participants, Beneficiaries, Participating Employers, and Local Unions:

This is a legal notification required by the Pension Protection Act of 2006 ("PPA"). The Trustees of your Pension Fund do not expect information covered by this notice to lead to any changes in benefits or contribution requirements. In particular, if you are currently a retiree or beneficiary in pay status (with benefits started by April 21, 2008), your benefit will not be changed as a result of the new law.

In recent years, the Plan's Board of Trustees has taken steps to bring the Plan's liabilities into balance with its assets. This has been done through a combination of benefit changes and a commitment for higher contributions from participating employers. While these actions are expected to achieve the necessary financial balance over time, there is currently a shortfall that must be resolved in order for the Plan to comply with the requirements of the Pension Protection Act of 2006, which was passed by Congress and signed into law in August of 2006.

On March 24, 2008, the Plan's actuary issued a certification that the Plan is in Critical Status (as defined under PPA and also known as "Red Zone" status), effective with the Plan Year commencing January 1, 2008. More specifically, the funded percentage of the plan is 65% or less, and the plan is projected to have an accumulated funding deficiency as of the end of the current plan year. This means that contributions for the current year are not expected to be high enough to meet government standards for funding the promised benefits plus those that participants continue to earn.

With the actuary's certification, PPA requires that this notice be sent to all affected parties informing them of the Red Zone status of the Plan for the Plan Year beginning January 1, 2008. PPA also requires that a Plan in the Red Zone adopt a Rehabilitation Plan designed to enable the Plan to recover financially and meet the statutory funding requirements over time.

The Rehabilitation Plan expected to be adopted by the Trustees leaves the Plan benefits and the current negotiated contribution rate unchanged.

While the Rehabilitation Plan will not include any benefit changes, below is a description of the allowable changes under PPA, which by law must be included in this notice even though no changes are currently being made to the Plan.

(over)

Under PPA, a Rehabilitation Plan is allowed to eliminate or reduce certain benefits ("adjustable benefits"), which include the following:

1. Benefits, rights and features under the plan, including post-retirement death benefits, 60-month guarantees, disability benefits not yet in pay status and similar benefits,
2. Early retirement benefit or retirement-type subsidy and any benefit payment option (other than the qualified joint and survivor annuity) such as 120 and 180-month guarantees and Joint & 75% and Joint & 100% Survivor options.

Any such reductions could apply to participants and beneficiaries whose benefit commencement date is after April 21, 2008. The level of benefits already earned that are payable at normal retirement age as a single life or qualified joint and survivor annuity cannot and will not be reduced.

Please note that the PPA requires that our Plan's funding status be reviewed and certified annually and notices like this one will be sent each year if the Plan is in the Red Zone. There are several variables beyond our control, which our advisors will monitor yearly, including market volatility and changes in participation and/or the number of contributing employers, which could affect the Plan's status and the Trustees' recommended corrective actions in the future.

### ***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. The contribution surcharge ceases when an employer agrees to a collective bargaining agreement that implements the Rehabilitation Plan.

**The Trustees have been informed by the bargaining parties that they will reopen the current collective bargaining agreement in April 2008 and the Rehabilitation Plan will be adopted; therefore, surcharges are not expected to be imposed.**

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

As required by law, this notice is also being provided to the Pension Benefit Guaranty Corporation (PBGC) and the Department of Labor (DOL).

For more information about this Notice, or to request a copy of the Rehabilitation Plan, you may contact the Plan's Administrative Manager, Patricia J. Raffety by phone: (330) 726-3745; by mail: 694 Bev Rd, Suite A, Boardman, OH 44512; or by email: iw207pension@iw207.com.

**Board of Trustees  
Bridge, Structural, Ornamental, and Reinforcing Ironworkers Local Union No. 207  
Pension Fund**