



LOCAL

707

EBSA/PUBLIC DISCLOSURE

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ROAD CARRIERS

WELFARE AND PENSION FUNDS

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**Notice of Critical Status For  
Road Carriers Local 707 Pension Plan**

This is to inform you that on November 3, 2012 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical status for the plan year beginning September 1, 2012. 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, the Plan's actuary determined that the plan was in critical status last year and over the next nine years, the plan is projected to have an accumulated funding deficiency for the 2012 plan year.

**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 fifth 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 December 16, 2008, you were notified that the Plan reduced or eliminated adjustable benefits. On December 16, 2008, you were notified that as of December 16, 2008 the plan is not permitted to pay lump sum benefits in excess of \$5,000 (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 December 16, 2008.

**Adjustable Benefits**

The Plan offers the following adjustable benefits which have been reduced or eliminated as part of the rehabilitation plan adopted by the Plan:

- Post-retirement death benefits;
- Sixty-month payment guarantees;
- Disability benefits (if not yet in pay status); and
- Early retirement benefits or retirement-type subsidies.

**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.

**Where to Get More Information**

For more information about this Notice, you may contact the Kevin McCaffrey, Fund Manager, Road Carriers – Local 707 Pension Plan, 14 Front Street, Suite 301, Hempstead, NY 11550. You have a right to receive a copy of the rehabilitation plan from the Plan.

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