

**Notice of Critical Status**  
**for the**  
**Construction Industry and Laborers Joint Pension Trust**  
**for Southern Nevada Plan A (the "Plan")**  
**EIN: 88-0135695**  
**PN: 001**

US DEPARTMENT OF  
LABOR

2020 MAY -5 PM 3:35

EBSA  
PUBLIC DISCLOSURE

This is to inform you that on March 27, 2020 the Plan actuary certified to the U.S. Department of the Treasury, and also to the Plan sponsor, that the Plan will be in critical status for the Plan Year beginning January 1, 2020. 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 actuaries have determined that the Plan was in critical status last year and, during the next 10 years, the Plan is projected to have an accumulated funding deficiency.

### **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 fourth 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. Any reduction of adjustable benefits 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 the date they were first notified of the plan's critical status (for the Plan, that date was April 29, 2016).

The Trustees of the Plan adopted a rehabilitation plan on April 20, 2016. The rehabilitation plan incorporates contribution increases and changes to benefits earned after 2016 to improve the funding level of the Plan. On April 29, 2016, you were notified that as of April 29, 2016 the Plan is not permitted to pay lump sum benefits while it is in critical status. The Trustees will continue to review progress annually as required by law. If the Trustees determine 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:

- Lump sum death benefits;
- Sixty-month payment guarantees;
- Disability benefits (if not yet in pay status);
- Early retirement benefit or retirement-type subsidy, including unreduced service retirements; or
- Benefit payment options other than a qualified joint-and survivor annuity (QJSA).

### **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 Plan Administrator at 2345 Red Rock St - #220, Las Vegas, NV 89146 or by telephone at (702) 251-5690. You have a right to receive a copy of the rehabilitation plan from the Plan.