

**IMPORTANT LEGAL NOTICE REGARDING
YOUR BENEFITS UNDER THE
WASHINGTON, D.C. CEMENT MASONS PENSION TRUST FUND**

THIS IS A LEGAL NOTICE.

YOU ARE NOTIFIED THAT CERTAIN BENEFITS UNDER THE WASHINGTON, D.C. CEMENT MASONS PENSION TRUST FUND WILL BE REDUCED AS OF JULY 1, 2023. YOU ARE PROVIDED WITH THIS NOTICE PURSUANT TO SECTION 204(H) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, AS AMENDED, AND SECTIONS 432(E)(8)(C) AND 4980F OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. OTHER THAN READING THIS NOTICE, NO ACTION IS REQUIRED ON YOUR PART.

THIS NOTICE APPLIES TO:

- A. All Participants of Washington, D.C. Cement Masons Pension Trust Fund and their Beneficiaries and Alternate Payees.**
- B. All Employers Participating in Washington, D.C. Cement Masons Pension Trust Fund**
- C. Cement Masons Local Union No. 891**

INTRODUCTION AND BACKGROUND

On March 31, 2023, the actuary for the Washington, D.C. Cement Masons Pension Trust Fund (the “Plan”) certified that the Plan is in “critical status” for the Plan Year beginning January 1, 2023. As required by federal law, the Board of Trustees of the Plan adopted a Rehabilitation Plan, designed to improve the Plan’s funded status over time. The Rehabilitation Plan requires reduction in certain benefits, effective July 1, 2023. This notice (the “Notice”) describes the benefits that will be affected by the Rehabilitation Plan.

If your benefits commenced prior to July 1, 2023, you will not be affected by the benefit reductions described in this Notice. Please keep this Notice with your Summary Plan Description (“SPD”). The changes described in this Notice modify the disability, death and early retirement benefits described in the SPD.

EFFECT OF THE REHABILITATION PLAN

1. Elimination of Disability Benefits

Currently, the Plan provides that a Participant who had 20 years of Credited Service, becomes Disabled (as defined in the Plan) and was employed by an Employer during the two calendar quarters preceding his Disability is eligible to commence a Disability Retirement Pension. Under the Rehabilitation Plan, no Participant will be eligible to receive a Disability Retirement Pension, except for Participants whose Disability Retirement Pension commenced prior to July 1, 2023.

2. Increased Earliest Retirement Age

Currently, a Participant is eligible to commence Early Retirement Pension as early as age fifty-eight (58), upon completion of ten (10) years of Credited Service. Under the Preferred Schedule of the Rehabilitation Plan, a Participant will need to be at least age sixty-two (62) and have ten (10) years of Credited Service, in order to be eligible for Early Retirement Pension. Under the Default Schedule of the Rehabilitation Plan, no Participant will be eligible to receive an Early Retirement Pension, regardless of age or years of Credited Service. Pensions that commenced prior to July 1, 2023 will not be impacted by this change.

Example: John is currently working for an Employer and will attain age 57 and complete 10 years of Credited Service on July 1, 2023. Under the current Plan provisions, John would have been eligible for Early Retirement Pension on July 1, 2024, when he would have attained age 58 and completed at least 10 years of Credited Service. However, under the Preferred Schedule of the Rehabilitation Plan, John will become eligible for Early Retirement Pension on July 1, 2028, when he will have attained age 62 and completed at least 10 years of Credited Service. Under the Default Schedule of the Rehabilitation Plan, John will not be eligible to retire until he reaches his Normal Retirement Age, which is age 65, on July 1, 2031.

3. Increased Earliest Age for Unreduced Early Pension

Currently, a Participant is eligible to commence Unreduced Early Retirement Pension as early as age fifty-eight (58), upon completion of thirty (30) years of Credited Service. Under the Preferred Schedule of the Rehabilitation Plan, a Participant will need to be at least age sixty-two (62) and have thirty (30) years of Credited Service, in order to be eligible for Unreduced Early Retirement Pension. Under the Default Schedule of the Rehabilitation Plan, no Participant will be eligible to receive an Unreduced Early Retirement Pension, regardless of age or years of Credited Service. Pensions that commenced prior to July 1, 2023 will not be impacted by this change.

Example: John is currently working for an Employer and will attain age 57 and complete 30 years of Credited Service on July 1, 2023. Under the current Plan provisions, John would have been eligible for Unreduced Early Retirement Pension on July 1, 2024, when he would have attained age 58 and completed at least 30 years of Credited Service. However, under the Preferred Schedule of the Rehabilitation Plan, John will become eligible for Early Retirement Pension on July 1, 2028, when he will have attained age 62 and completed at least 30 years of Credited Service. Under the Default Schedule of the Rehabilitation Plan, John will not be eligible to retire until he reaches his Normal Retirement Age, which is age 65, on July 1, 2031.

4. Change in Reduction Factors for Early Retirement

Currently, a Participant who is eligible to commence Early Retirement Pension has their Normal Retirement Pension reduced by $\frac{1}{2}$ of 1% for each month they retire before age 65. Under the Preferred Schedule of the Rehabilitation Plan, a participant who commences Early Retirement Pension will have their monthly payment be reduced to be actuarially equivalent to their Normal Retirement Pension at age 65. Under the Default Schedule of the Rehabilitation Plan, no participant will be eligible to commence Early Retirement Pension. Pensions that commenced prior to July 1, 2023 will not be impacted by this change.

Example: John is scheduled to commence Early Retirement Pension on July 1, 2023, on his 62nd birthday. Under the current Plan provisions, his Normal Retirement Pension monthly benefit will be reduced by 18% (1/2 of 1% times 36 months). Under the Preferred Schedule of the Rehabilitation Plan, John's benefit will be reduced by 30.49%. Under the Default Schedule of the Rehabilitation Plan, John will not be eligible to commence receiving benefits until he reaches age 65.

5. Elimination of Two-Year Certain Period from Normal Form of Payment for Unmarried Participants

Currently, an unmarried Participant who commences receiving payments under the Normal Form of Payment receives a 24-month benefit guarantee. This means that if the Participant dies before they have received 24 monthly benefit payments, their designated beneficiary will receive remaining monthly payments until 24 monthly payments have been made. Under both the Preferred Schedule and Default Schedule of the Rehabilitation Plan, the 24-month benefit guarantee has been eliminated. Pensions that commenced prior to July 1, 2023 will not be impacted by this change.

Example: John is unmarried and commences receiving monthly pension benefits on July 1, 2023. He does not elect any optional form of payment and receives the normal form of payment. He receives six (6) monthly payments and dies on December 31, 2023. Under the current Plan provisions, John's designated beneficiary will receive eighteen (18) monthly benefit payments in the same amount that John received before his death. Under both the Preferred Schedule and Default Schedule of the Rehabilitation Plan, John's designated beneficiary will not receive any additional monthly benefit payments.

RIGHTS AND REMEDIES OF PLAN PARTICIPANTS AND BENEFICIARIES

As a Participant in the Plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). ERISA provides that all Plan Participants are entitled to:

- Examine, without charge, at the Fund Office and at other required locations, all documents governing the Plan and a copy of the latest annual report (Form 5500 Series) filed by the Plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration, at 200 Constitution Avenue, NW, Room N-1515, Washington, DC 20210. You may also call the Department of Labor at 202.693.8673. You may contact the Department of Labor for further information and assistance.
- You may obtain, upon written request to the Plan Administrator, copies of documents governing the operation of the Plan and copies of the latest annual report (Form 5500 Series) and updated summary plan description. The Plan Administrator may make a reasonable charge for the copies.
- You may receive an annual funding notice showing the Plan's funded status.
- You may obtain a statement telling you whether you have a right to receive a pension at normal retirement age (age 65) and, if so, what your benefits would be at normal retirement age if you stop working under the Plan now. If you do not have a right to a pension, the statement will tell you how many more years you have to work to get a right to a pension.

This statement must be requested in writing and is not required to be given more than once every twelve (12) months. The Plan must provide the statement free of charge.

ADDITIONAL INFORMATION

The Notice is being provided to you in accordance with Section 204(h) of ERISA and Sections 4980F and 432(e)(8)(C) of the Internal Revenue Code of 1986, as amended. This Notice also constitutes a summary of material modifications under Sections 102(a) and 104(b) of ERISA.

This Notice provides only a general summary of Rehabilitation Plan and the amendment to the Plan. For a more complete description of the terms and benefits of the Plan, you should consult the Summary Plan Description (the “SPD”). You should keep this Notice with the SPD.

If you have any questions or would like to request any documents, you may contact the Fund Administrator at:

Washington, D.C. Cement Masons Pension Trust Fund,
c/o Benesys, Inc.,
7130 Columbia Gateway Dr., Suite A,
Columbia, MD 21046
1-410-872-9500

THE BOARD OF TRUSTEES OF THE WASHINGTON, D.C. CEMENT MASONS PENSION TRUST FUND RESERVES THE RIGHT TO TERMINATE OR AMEND THE WASHINGTON, D.C. CEMENT MASONS PENSION TRUST FUND AT ANY TIME, IN WHOLE OR IN PART, FOR ANY REASON TO THE EXTENT PERMITTED BY LAW. A COMPLETE DESCRIPTION OF THE WASHINGTON, D.C. CEMENT MASONS PENSION TRUST FUND CAN BE FOUND IN THE PLAN’S LEGAL DOCUMENT AND SUMMARY PLAN DESCRIPTION (SPD). EVERY EFFORT HAS BEEN MADE TO PROVIDE AN ACCURATE SUMMARY OF THE PLAN IN THIS NOTICE. HOWEVER, THIS NOTICE DOES NOT REPLACE OR CHANGE THE MEANING OF THE PLAN DOCUMENT OR SPD FOR THE PLAN. IF THERE IS A CONFLICT BETWEEN THIS NOTICE AND THE OFFICIAL PLAN DOCUMENTS, THE OFFICIAL PLAN DOCUMENTS WILL GOVERN. IF YOU HAVE QUESTIONS, YOU MAY CONTACT THE PLAN ADMINISTRATOR AT THE NUMBER OR ADDRESS INDICATED IN THIS NOTICE.