

## **NOTICE TO PARTICIPANTS IN THE PIPEFITTERS LOCAL NO. 636 DEFINED CONTRIBUTION PENSION FUND**

### **2009 NOTICE**

This notice and your Summary Plan Description provide important information regarding your decision to start, continue, or change your elective deferral contributions to the Pipefitters Local No. 636 Defined Contribution Pension Fund ("Fund") for the Plan Year that begins January 1, 2009. The Fund has adopted a safe harbor contribution structure.

- You are permitted to elect deferrals of \$.50, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$7.00, or \$8.00 per hour of your own straight time hours worked as a wage reduction contribution to the Plan. (Participants age 50 or older during 2009 may defer up to \$8.00, \$9.00, \$10.00, or \$11.00 per hour.) To do so, you must complete a Deferral Election Form available to you from your employer.
- Each eligible non-highly compensated employee participating in the Plan for the Plan Year will receive a fully vested safe harbor employer contribution of at least 3% of his or her compensation for the plan year ("safe harbor contribution"). By doing so, the Plan will automatically satisfy certain tax code requirements for the 2009 plan year. The amount of your compensation considered for this safe harbor contribution is the same compensation as defined in the Plan document, which is defined as compensation under Internal Revenue Code §414(s), or as otherwise permitted by the Internal Revenue Service.
- The actual amount of the contribution will be the hourly employer defined contribution required under the Pipefitters Local No. 636 collective bargaining agreement, or other applicable agreement, requiring contributions to be made on your behalf to the Fund based on your employment status.
- Other than the defined contribution and your own wage reduction contributions, no other contributions will be allowed to be made to the Plan by employers or employees.
- You may change the amount or percent of your wage reduction contribution twice each year, effective either January 1 or July 1. You may terminate your wage reduction contributions at any time by written notice to your employer.
- All contributions to the Plan are fully vested at all times.
- Contributions may not be distributed to you, as provided in the Plan, until you separate from service of all employers in the pipefitting industry covered by the collective bargaining agreement, are disabled, die, or retire, or apply for and meet the eligibility requirements for a hardship distribution (the safe harbor contribution cannot be distributed on hardship).
- Please review your summary plan description for more information, or contact the Fund Office at Benesys, Inc., 700 Tower Drive, Suite 300, Troy, Michigan 48098, 1-248-813-9800.

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