

**CONSTRUCTION  
INDUSTRY LABORERS**

**FRINGE BENEFIT FUNDS**

6405 Metcalf, Suite 200  
Overland Park, KS 66202  
Phone (913) 236-5490  
Fax (913) 236-5499

Managed for the Trustees by

TIC International Corporation

December 1, 2016

**TO: ALL CONTRIBUTING EMPLOYERS AND EMPLOYEE ORGANIZATIONS**

**RE: CONSTRUCTION INDUSTRY LABORERS PENSION FUND / SUMMARY PLAN  
INFORMATION**

Pursuant to the requirements of Section 104(d) of the Employee Retirement Income Security Act of 1974, the Construction Industry Laborers' Pension Fund is required to provide every contributing employer and employee organization a report containing the following Plan information **for the Plan Year ending December 31, 2015:**

**1. Benefit Formula and Contribution Schedule through December 31, 2015:**

The monthly benefit is equal to:

- a. \$3.00 per year of service prior to the contribution period, plus
- b. 4.00% of contributions paid on a Participant's behalf before January 1, 1996, plus
- c. 4.00% of contributions up to \$2.00 per hour plus 3.75% of contributions in excess of \$2.00 per hour for contributions between January 1, 1996 and December 31, 2000, plus
- d. 4.00% of contributions up to \$2.00 per hour, plus 3.75% of contributions between \$2.00 and \$3.00 per hour, plus 3.50% of contributions in excess of \$3.00 per hour for contributions between January 1, 2001 and December 31, 2002, plus
- e. 3.00% of contributions paid on a Participant's behalf for contributions between January 1, 2003 and December 31, 2004, plus
- f. For Employer Contributions made on or after January 1, 2005 and before January 1, 2009, the Participant will receive two (2%) percent of such Employer Contributions for any Plan Year in which he has a Year of Credited Future Service, plus
- g. For Employer Contributions (excluding Funding Contributions of 15% of total contribution made on behalf of a Participant) made on and after January 1, 2009 and before January 1, 2010, the Participant will receive two percent (2%) of such Employer Contributions for any Plan Years in which the Participant earns a year of Credited Future Service or a year of Vested Service (subsequent to any Permanent Break in Service) or for contributions made in any year after the Participant reaches Vested Status regardless of whether the Participant earns a year of Credited Future Service or a year of Vested Service.
- h. For Employer Contributions (excluding Funding Contributions of 15% of total contribution made on behalf of a Participant) made on or after January 1, 2010, the Participant will receive one percent (1%) of such Employer Contributions for any Plan Years in which the Participant earns a year of Credited Future Service or a year of Vested Service (subsequent to any Permanent Break in Service) or for contributions made in any year after the Participant reaches Vested Status regardless of whether the Participant earns a year of Credited Future Service or a year of Vested Service.

**Contribution Rates:**

Contribution rates vary between \$2.00 per hour to \$5.25 per hour pursuant to the collective bargaining agreements with employers that require contributions to the Fund.

2. Number of employers obligated to contribute to the Plan: 592
3. Employers that contributed more than 5% of the total contributions to the Plan: None
4. PPA Zone Status: The Plan was not in critical or endangered status in the Plan Year.
5. The number of employers that withdrew from the Plan: 2
6. The aggregate amount of withdrawal liability assessed or estimated to be assessed against such employers: \$402,978

**NOTE:** The above information regarding employers who withdrew during the plan year may not include employers for whom a determination of a withdrawal was later made by the Plan. If your company terminates its obligation to contribute to the Plan, it may be liable for payment of withdrawal liability.

7. Number of participants on whose behalf no contributions were made by an employer as an employer of the participant for the plan year January 1, 2015 through December 31, 2015 and each of the preceding two plan years:  
Plan Year 2015: N/A; plan does not track  
Plan Year 2014: N/A; plan does not track  
Plan Year 2013: N/A; plan does not track
8. Amortization Schedule: The plan did not seek or receive an amortization extension and did use the shortfall funding method as described in ERISA Section 305.
9. Actuarial value of assets and liabilities from a plan that has merged with or had assets or liabilities transferred to the Fund: Not applicable.
10. Additional Information: In any 12 month period, your organization is entitled to request and receive a copy of the Plan's Annual Report (Form 5500 Series), a copy of the Summary Plan Description, and/or a copy of any material modification of the plan. The Administrator of the Plan may charge a fee for providing copies of this information. Your organization may contact the Fund Administrator, TIC International Corporation, 6405 Metcalf, Suite 200, Overland Park, Kansas 66202.

If you have any questions regarding this matter, you may contact the Fund Administrator at TIC International Corporation, 6405 Metcalf, Suite 200, Overland Park, Kansas, 66202, telephone 913-236-5490.

Sincerely,

Board of Trustees  
Construction Industry Laborers Pension Fund



**CONSTRUCTION  
INDUSTRY LABORERS**

**WELFARE - PENSION  
VACATION FUNDS**

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Managed for the Trustees by

TIC International Corporation

August 2011

**CONSTRUCTION INDUSTRY LABORERS PENSION FUND**  
**NOTICE OF ADJUSTMENT TO BENEFITS DUE TO CRITICAL STATUS**

**TO: PARTICIPANTS, BENEFICIARIES, PARTICIPATING UNIONS AND CONTRIBUTING  
EMPLOYERS**

Earlier this year, the Board of Trustees of the Construction Industry Laborers Pension Fund (the Plan) notified you that the Plan's funding status had been certified as critical, according to standards adopted by Congress in 2006. As you know, the recession has hit the construction industry hard and, in our area, particularly hard. The crash of the stock market in 2008 reduced the Plan's reserves. The loss of work hours has reduced current contributions to the Plan. The Trustees have been analyzing and considering options to address this situation to maintain the financial stability of the Plan for over a year. On March 31, 2011, the Trustees adopted a rehabilitation plan to improve the financial health of the Plan. (This replaces the Funding Improvement Plan sent to you in fall of 2010)

The rehabilitation plan provides for benefit reductions, especially with respect to the value of early retirement benefits. **There are no changes to the regular retirement benefits.** While no new contributions are required to satisfy the rehabilitation plan, with the reduction in these benefits, the bargaining parties may negotiate increases when possible, and such increases will assist in increasing the financial health of the Plan.

This Notice explains the changes that will apply for retirement effective dates on or after January 1, 2012. The Notice refers to the current rules as "old rules" and to the changes in benefits as "new rules". The new rules apply to participants who are currently employed and also to participants who are not currently working, but have pension history in this Fund (deferred vested participants). The new rules apply to all benefits earned in the Plan, both before and after January 1, 2012.

---

**NEW RULES**

**1. Special Regular Retirement Benefit Now Requires a Minimum Age of 55**

The Special Regular Retirement Benefit (30 and out benefit) will require a minimum age of 55 for participants who were hired before January 1, 2005 and who have not earned 25 years of credited service as of January 1, 2012. If you were hired before January 1, 2005 and you have earned at least 25 years of credited service as of January 1, 2012, you may retire at any age upon completion of the required 30 years of credited service.

***Example:***

**Old Rule.** Jack was hired on March 23, 1983 and had earned 25 years of credited service as of January 1, 2012. He plans to retire on April 1, 2013 at age 52. Jack will have 30 years of service on the date he plans to retire, so he will be eligible for a Special Regular Retirement Benefit at age 52.

**New Rule.** Jeff was hired on May 1, 1988 and had not earned 25 years of credited service as of January 1, 2012. He plans to retire on May 31, 2018 at age 54. Jeff will have 30 years of service on the date he plans to retire, but he will need to be age 55 before he is eligible for a Special Regular Retirement Benefit. Therefore, Jeff will need to change his retirement date to May 31, 2019 in order to meet the age 55 requirement.

**2. Increase in Early Retirement Reduction Factor for Regular Early Retirement Benefit**

**a Retirement from Active Covered Employment.**

If you start receiving your early retirement pension benefit on or after January 1, 2012, the early retirement reduction factor will be 6.0% for each year (0.5% for each full month) that your early retirement pension starts before you reach age 62 instead of the 1.5% for each year (0.125% for each full month).

For this benefit, you will be considered as being in active covered employment if you have earned at least 2,250 credited hours of work in covered employment during the last 5 plan years before you retire. Hours of work, for determining whether you are in active covered employment, will include your hours worked under a plan that has a regional reciprocal agreement with the Fund at the time you performed the work.

**Example:**

Colin plans to retire at age 58 and 2 months (46 months before he reaches age 62). His monthly regular retirement benefit is \$725. Colin's Early Retirement Benefit would be calculated as follows.

	New Rule	Old Rule
1. Monthly Regular Retirement Benefit	\$725	\$725
2. [Times] Early Retirement Reduction Factor	x.77*	x.9425**
3. Monthly Early Retirement Benefit	\$558.25	\$683.31

\* New Rule – 46 months x .5% reduction = 23%. (100% -23% = 77%)

\*\* Old Rule – 46 months x .125% reduction = 5.75%. (100% -5.75% = 94.25%)

**b Not Retiring from Active Covered Employment.**

If you are not considered as being in active covered employment as described above, you may retire on a Vested Pension as early as age 55. Your accrued benefit will be reduced for early retirement. The Benefit will be actuarially equivalent to your regular pension benefit that would be payable to you at age 62. This means your early retirement benefit will be of equal value to your normal retirement benefit, but will be paid to you for a longer period. Actuarially equivalent means that your regular pension benefit will be adjusted using factors based on a specified interest rate and mortality table according to your age at the time your payments will begin. (A copy of these factors is included).

**Example:**

Frank plans to retire at age 59 and 6 months (30 months before he reaches age 62). His monthly regular retirement benefit is \$600. Frank's Vested Pension would be calculated as follows.

	New Rule	Old Rule
1. Monthly Regular Retirement Benefit	\$600	\$600
2. [Times] Early Retirement Reduction Factor	x.7836*	x.9625**
3. Monthly Early Retirement Benefit	\$470.16	\$577.50

\* New Rule – Reduction factor for Age 59 and 6 months from the Table attached to this Notice.

\*\* Old Rule – 30 months x .125% reduction = 3.75%. (100% -3.75% = 96.25%)

## **ERISA NOTICE**

This notice also is being provided to comply with the requirements of Section 204(h) of the Employee Retirement Income Security Act of 1974 (ERISA) and its regulations and to notify you of an amendment to the Plan that will reduce benefits under the Plan.

## **WHERE TO GET MORE INFORMATION**

If you have any questions about these changes, you should contact the Fund Office:

Construction Industry Laborers Pension Fund  
c/o TIC International Corporation  
6405 Metcalf, Suite 200  
Overland Park, Kansas 66202

## **RIGHTS AND REMEDIES UNDER ERISA**

It is your right to appeal decisions by the Board of Trustees ("Board") that affect payment of your benefits. Your appeal must be made in writing to the Fund Office and be received within 60 days after you or your authorized representative is notified of the benefit modification or denial. As part of your request for review of your denied claim, you may request a hearing from the Board or Claims Appeal Committee. You also have the right to request the documents relied on in making this decision, as well as all documents governing the Plan. Please refer to the Plan's Summary Plan Description for a fuller description of the Plan's Claims Appeal Procedures.


If your claim for a pension benefit is denied, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules as further set forth in the summary plan description and as briefly explained above.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Fund Office. If you have a claim for benefits, which is denied or ignored, in whole or in part, you may file suit in a state or Federal court.

## **ASSISTANCE WITH YOUR QUESTIONS**

If you have any questions about your Plan, you should contact the Fund Office. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Fund Office, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.





**CONSTRUCTION  
INDUSTRY LABORERS  
WELFARE - PENSION  
VACATION FUNDS**

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TIC International Corporation

## **Construction Industry Laborers' Pension Fund Notice to Interested Parties**

January 12, 2015

1. **Notice To:** All current participants of the Construction Industry Laborers' Pension Fund.

An application is to be made to the Internal Revenue Service for an advance determination on the qualification of the following employee pension benefit plan:

2. Name of Plan: Construction Industry Laborers' Pension Fund
3. Plan Identification Number: 43-6060737, No. 001
4. Name and address of applicant:  
Office of the Fund Administrator  
Construction Industry Laborers' Pension Fund  
6405 Metcalf, Suite 200, Cloverleaf Bldg. 3  
Overland Park, KS 66202
5. Applicant EIN: 43-6060737
6. Name and address of plan administrator:  
Office of the Fund Administrator  
Construction Industry Laborers' Pension Fund  
6405 Metcalf, Suite 200  
Overland Park, KS 66202
7. The application will be filed on January 30, 2015 for an advance determination as to whether the plan meets the qualification requirements of §401 or §403(a) of the Internal Revenue Code of 1986, with respect to the plan's amendment.

The application will be filed with:

Internal Revenue Service  
EP Determinations  
Attn: Customer Service Manager  
P.O. Box 2508  
Cincinnati, OH 45202EP Determinations

8. An Employee shall become a Participant in the Plan on the earliest of January 1 or July 1 after completion of 500 or more hours in covered employment in a plan year for which contributions are required to be made to the Fund; or following completion of 870 hours in continuous employment during a 12 consecutive month period.
9. The Internal Revenue Service has previously issued a determination letter with respect to the qualification of this plan.

### **Rights of Interested Parties**

10. You have the right to submit to EP Determinations, at the above address, either individually or jointly with other interested parties, your comments as to whether this plan meets the qualification requirements of the Internal Revenue Code.

You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the plan. If the Department declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the Department jointly, submit your comments on these matters directly to EP Determinations.

### **Requests for Comments by the Department of Labor**

11. The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of 10 employees or 10 percent of the employees who qualify as interested parties. The number of persons needed for the Department to comment with respect to this plan is 10. If you request the Department to comment, your request must be in writing and must specify the matters upon which comments are requested, and must also include:
  - (1) The information contained in items 2 through 5 of this Notice, and
  - (2) The number of persons needed for the Department to comment.

A request to the Department to comment should be addressed as follows:

Deputy Assistant Secretary  
Employee Benefits Security Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210  
ATTN: 3001 Comment Request

### **Comments to the Internal Revenue Service**

12. Comments submitted by you to EP Determinations must be in writing and received by it by March 16, 2015. However, if there are matters that you request the Department of Labor to comment upon on your behalf, and the Department declines, you may submit comments on these matters to EP Determinations to be received by it within 15 days from the time the Department notifies you that it will not comment on a particular matter, or by March 16, 2015, which is later, but not after March 31, 2015. A request to the Department to comment on your behalf must be received by it by March 16, 2015 if you wish to preserve your right to comment on a matter upon which the Department declines to comment, or by March 31, 2015 if you wish to waive that right.



### **Additional Information**

13. Detailed instructions regarding the requirements for notification of interested parties may be found in Sections 17 and 18 of Rev. Proc. 2014-6. Additional information concerning this application (including, where applicable, an updated copy of the plan and related trust; the application for determination; any additional documents dealing with the application that have been submitted to the Service; and copies of Section 17 of Rev. Proc. 2014-6 are available at the Office of the Fund Administrator, Construction Industry Laborers' Pension Fund, 6405 Metcalf, Suite 200, Cloverleaf Bldg. 3, Overland Park, KS 66202 during the hours of 8:00 am – 5:00 pm CST for inspection and copying. (There is a nominal charge for copying and/or mailing.)



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August 2011

**CONSTRUCTION INDUSTRY LABORERS PENSION FUND**  
**NOTICE OF ADJUSTMENT TO BENEFITS DUE TO CRITICAL STATUS**

**TO: PARTICIPANTS, BENEFICIARIES, PARTICIPATING UNIONS AND CONTRIBUTING  
EMPLOYERS**

Earlier this year, the Board of Trustees of the Construction Industry Laborers Pension Fund (the Plan) notified you that the Plan's funding status had been certified as critical, according to standards adopted by Congress in 2006. As you know, the recession has hit the construction industry hard and, in our area, particularly hard. The crash of the stock market in 2008 reduced the Plan's reserves. The loss of work hours has reduced current contributions to the Plan. The Trustees have been analyzing and considering options to address this situation to maintain the financial stability of the Plan for over a year. On March 31, 2011, the Trustees adopted a rehabilitation plan to improve the financial health of the Plan. (This replaces the Funding Improvement Plan sent to you in fall of 2010)

The rehabilitation plan provides for benefit reductions, especially with respect to the value of early retirement benefits. **There are no changes to the regular retirement benefits.** While no new contributions are required to satisfy the rehabilitation plan, with the reduction in these benefits, the bargaining parties may negotiate increases when possible, and such increases will assist in increasing the financial health of the Plan.

This Notice explains the changes that will apply for retirement effective dates on or after January 1, 2012. The Notice refers to the current rules as "old rules" and to the changes in benefits as "new rules". The new rules apply to participants who are currently employed and also to participants who are not currently working, but have pension history in this Fund (deferred vested participants). The new rules apply to all benefits earned in the Plan, both before and after January 1, 2012.

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**NEW RULES**

**1. Special Regular Retirement Benefit Now Requires a Minimum Age of 55**

The Special Regular Retirement Benefit (30 and out benefit) will require a minimum age of 55 for participants who were hired before January 1, 2005 and who have not earned 25 years of credited service as of January 1, 2012. If you were hired before January 1, 2005 and you have earned at least 25 years of credited service as of January 1, 2012, you may retire at any age upon completion of the required 30 years of credited service.

***Example:***

**Old Rule.** Jack was hired on March 23, 1983 and had earned 25 years of credited service as of January 1, 2012. He plans to retire on April 1, 2013 at age 52. Jack will have 30 years of service on the date he plans to retire, so he will be eligible for a Special Regular Retirement Benefit at age 52.

**New Rule.** Jeff was hired on May 1, 1988 and had not earned 25 years of credited service as of January 1, 2012. He plans to retire on May 31, 2018 at age 54. Jeff will have 30 years of service on the date he plans to retire, but he will need to be age 55 before he is eligible for a Special Regular Retirement Benefit. Therefore, Jeff will need to change his retirement date to May 31, 2019 in order to meet the age 55 requirement.

**2. Increase in Early Retirement Reduction Factor for Regular Early Retirement Benefit**

**a Retirement from Active Covered Employment.**

If you start receiving your early retirement pension benefit on or after January 1, 2012, the early retirement reduction factor will be 6.0% for each year (0.5% for each full month) that your early retirement pension starts before you reach age 62 instead of the 1.5% for each year (0.125% for each full month).

For this benefit, you will be considered as being in active covered employment if you have earned at least 2,250 credited hours of work in covered employment during the last 5 plan years before you retire. Hours of work, for determining whether you are in active covered employment, will include your hours worked under a plan that has a regional reciprocal agreement with the Fund at the time you performed the work.

**Example:**

Colin plans to retire at age 58 and 2 months (46 months before he reaches age 62). His monthly regular retirement benefit is \$725. Colin's Early Retirement Benefit would be calculated as follows.

	New Rule	Old Rule
1. Monthly Regular Retirement Benefit	\$725	\$725
2. [Times] Early Retirement Reduction Factor	x.77*	x.9425**
3. Monthly Early Retirement Benefit	\$558.25	\$683.31

\* New Rule – 46 months x .5% reduction = 23%. (100% -23% = 77%)

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If you are not considered as being in active covered employment as described above, you may retire on a Vested Pension as early as age 55. Your accrued benefit will be reduced for early retirement. The Benefit will be actuarially equivalent to your regular pension benefit that would be payable to you at age 62. This means your early retirement benefit will be of equal value to your normal retirement benefit, but will be paid to you for a longer period. Actuarially equivalent means that your regular pension benefit will be adjusted using factors based on a specified interest rate and mortality table according to your age at the time your payments will begin. (A copy of these factors is included).

**Example:**

Frank plans to retire at age 59 and 6 months (30 months before he reaches age 62). His monthly regular retirement benefit is \$600. Frank's Vested Pension would be calculated as follows.

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## **ERISA NOTICE**

This notice also is being provided to comply with the requirements of Section 204(h) of the Employee Retirement Income Security Act of 1974 (ERISA) and its regulations and to notify you of an amendment to the Plan that will reduce benefits under the Plan.

## **WHERE TO GET MORE INFORMATION**

If you have any questions about these changes, you should contact the Fund Office:

Construction Industry Laborers Pension Fund  
c/o TIC International Corporation  
6405 Metcalf, Suite 200  
Overland Park, Kansas 66202

## **RIGHTS AND REMEDIES UNDER ERISA**

It is your right to appeal decisions by the Board of Trustees ("Board") that affect payment of your benefits. Your appeal must be made in writing to the Fund Office and be received within 60 days after you or your authorized representative is notified of the benefit modification or denial. As part of your request for review of your denied claim, you may request a hearing from the Board or Claims Appeal Committee. You also have the right to request the documents relied on in making this decision, as well as all documents governing the Plan. Please refer to the Plan's Summary Plan Description for a fuller description of the Plan's Claims Appeal Procedures.

If your claim for a pension benefit is denied, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules as further set forth in the summary plan description and as briefly explained above.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Fund Office. If you have a claim for benefits, which is denied or ignored, in whole or in part, you may file suit in a state or Federal court.

## **ASSISTANCE WITH YOUR QUESTIONS**

If you have any questions about your Plan, you should contact the Fund Office. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Fund Office, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.





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January 12, 2015

1. **Notice To:** All current participants of the Construction Industry Laborers' Pension Fund.

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2. Name of Plan: Construction Industry Laborers' Pension Fund
3. Plan Identification Number: 43-6060737, No. 001
4. Name and address of applicant:  
Office of the Fund Administrator  
Construction Industry Laborers' Pension Fund  
6405 Metcalf, Suite 200, Cloverleaf Bldg. 3  
Overland Park, KS 66202
5. Applicant EIN: 43-6060737
6. Name and address of plan administrator:  
Office of the Fund Administrator  
Construction Industry Laborers' Pension Fund  
6405 Metcalf, Suite 200  
Overland Park, KS 66202
7. The application will be filed on January 30, 2015 for an advance determination as to whether the plan meets the qualification requirements of §401 or §403(a) of the Internal Revenue Code of 1986, with respect to the plan's amendment.

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Internal Revenue Service  
EP Determinations  
Attn: Customer Service Manager  
P.O. Box 2508  
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8. An Employee shall become a Participant in the Plan on the earliest of January 1 or July 1 after completion of 500 or more hours in covered employment in a plan year for which contributions are required to be made to the Fund; or following completion of 870 hours in continuous employment during a 12 consecutive month period.
9. The Internal Revenue Service has previously issued a determination letter with respect to the qualification of this plan.

### **Rights of Interested Parties**

10. You have the right to submit to EP Determinations, at the above address, either individually or jointly with other interested parties, your comments as to whether this plan meets the qualification requirements of the Internal Revenue Code.

You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the plan. If the Department declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the Department jointly, submit your comments on these matters directly to EP Determinations.

### **Requests for Comments by the Department of Labor**

11. The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of 10 employees or 10 percent of the employees who qualify as interested parties. The number of persons needed for the Department to comment with respect to this plan is 10. If you request the Department to comment, your request must be in writing and must specify the matters upon which comments are requested, and must also include:
  - (1) The information contained in items 2 through 5 of this Notice, and
  - (2) The number of persons needed for the Department to comment.

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Deputy Assistant Secretary  
Employee Benefits Security Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210  
ATTN: 3001 Comment Request

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### **Additional Information**

13. Detailed instructions regarding the requirements for notification of interested parties may be found in Sections 17 and 18 of Rev. Proc. 2014-6. Additional information concerning this application (including, where applicable, an updated copy of the plan and related trust; the application for determination; any additional documents dealing with the application that have been submitted to the Service; and copies of Section 17 of Rev. Proc. 2014-6 are available at the Office of the Fund Administrator, Construction Industry Laborers' Pension Fund, 6405 Metcalf, Suite 200, Cloverleaf Bldg. 3, Overland Park, KS 66202 during the hours of 8:00 am – 5:00 pm CST for inspection and copying. (There is a nominal charge for copying and/or mailing.)



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- a. \$3.00 per year of service prior to the contribution period, plus
- b. 4.00% of contributions paid on a Participant's behalf before January 1, 1996, plus
- c. 4.00% of contributions up to \$2.00 per hour plus 3.75% of contributions in excess of \$2.00 per hour for contributions between January 1, 1996 and December 31, 2000, plus
- d. 4.00% of contributions up to \$2.00 per hour, plus 3.75% of contributions between \$2.00 and \$3.00 per hour, plus 3.50% of contributions in excess of \$3.00 per hour for contributions between January 1, 2001 and December 31, 2002, plus
- e. 3.00% of contributions paid on a Participant's behalf for contributions between January 1, 2003 and December 31, 2004, plus
- f. For Employer Contributions made on or after January 1, 2005 and before January 1, 2009, the Participant will receive two (2%) percent of such Employer Contributions for any Plan Year in which he has a Year of Credited Future Service, plus
- g. For Employer Contributions (excluding Funding Contributions of 15% of total contribution made on behalf of a Participant) made on and after January 1, 2009 and before January 1, 2010, the Participant will receive two percent (2%) of such Employer Contributions for any Plan Years in which the Participant earns a year of Credited Future Service or a year of Vested Service (subsequent to any Permanent Break in Service) or for contributions made in any year after the Participant reaches Vested Status regardless of whether the Participant earns a year of Credited Future Service or a year of Vested Service.
- h. For Employer Contributions (excluding Funding Contributions of 15% of total contribution made on behalf of a Participant) made on or after January 1, 2010, the Participant will receive one percent (1%) of such Employer Contributions for any Plan Years in which the Participant earns a year of Credited Future Service or a year of Vested Service (subsequent to any Permanent Break in Service) or for contributions made in any year after the Participant reaches Vested Status regardless of whether the Participant earns a year of Credited Future Service or a year of Vested Service.

**Contribution Rates:**

Contribution rates vary between \$2.00 per hour to \$5.25 per hour pursuant to the collective bargaining agreements with employers that require contributions to the Fund.

2. Number of employers obligated to contribute to the Plan: 592
3. Employers that contributed more than 5% of the total contributions to the Plan: None
4. PPA Zone Status: The Plan was not in critical or endangered status in the Plan Year.
5. The number of employers that withdrew from the Plan: 2
6. The aggregate amount of withdrawal liability assessed or estimated to be assessed against such employers: \$402,978

**NOTE:** The above information regarding employers who withdrew during the plan year may not include employers for whom a determination of a withdrawal was later made by the Plan. If your company terminates its obligation to contribute to the Plan, it may be liable for payment of withdrawal liability.

7. Number of participants on whose behalf no contributions were made by an employer as an employer of the participant for the plan year January 1, 2015 through December 31, 2015 and each of the preceding two plan years:  
Plan Year 2015: N/A; plan does not track  
Plan Year 2014: N/A; plan does not track  
Plan Year 2013: N/A; plan does not track
8. Amortization Schedule: The plan did not seek or receive an amortization extension and did use the shortfall funding method as described in ERISA Section 305.
9. Actuarial value of assets and liabilities from a plan that has merged with or had assets or liabilities transferred to the Fund: Not applicable.
10. Additional Information: In any 12 month period, your organization is entitled to request and receive a copy of the Plan's Annual Report (Form 5500 Series), a copy of the Summary Plan Description, and/or a copy of any material modification of the plan. The Administrator of the Plan may charge a fee for providing copies of this information. Your organization may contact the Fund Administrator, TIC International Corporation, 6405 Metcalf, Suite 200, Overland Park, Kansas 66202.

If you have any questions regarding this matter, you may contact the Fund Administrator at TIC International Corporation, 6405 Metcalf, Suite 200, Overland Park, Kansas, 66202, telephone 913-236-5490.

Sincerely,

Board of Trustees  
Construction Industry Laborers Pension Fund

**CONSTRUCTION  
INDUSTRY LABORERS**

**FRINGE BENEFIT FUNDS**

PO Box 909500  
Kansas City, MO 64190  
(816) 777-2669  
(833) 479-9429 (toll free)  
(816) 756-3659 (fax)

Managed for the Trustees by  
Wilson-McShane Corporation

## Summary of Material Modifications

**To: All Construction Industry Laborers' Pension Plan Participants, Beneficiaries, Participating Unions and Contributing Employers**

**October 12, 2021**

### **PARTICIPANT NOTICE**

This Participant Notice will advise you of certain material modifications (plan changes) that have been made to the Construction Industry Laborers' Pension Plan (the Plan). This information is **very important** for you. Please take the time to read it carefully.

### **INCREASE TO BENEFITS EARNED ON OR AFTER JANUARY 1, 2010**

Benefits earned on or after January 1, 2010, were based on 1.0% of the contributions made, but excluded Funding Contributions. Funding Contributions were defined to be 15% of the contributions made on a Participant's behalf to the Plan. So for every \$1,000 of contributions made on a Participant's behalf after 2009, the Plan paid out \$8.50 of monthly benefits for a Participant's lifetime ( $\$1,000 \times 85\% = \$850 \times 1\% = \$8.50$ ). This is before any applicable reductions for early retirement or benefit form.

The Funding Contributions were necessary to improve the funding level of the Plan. Due to the prudent management of the Plan over the last 10 years, the Board of Trustees are now in a position to be able to grant benefits on all contributions for work hours after 2009.

**For monthly pension benefits payable on or after January 1, 2022, benefits earned on or after January 1, 2010 will be based on 1.0% of all contributions made.** This means that for every \$1,000 of contributions made on a Participant's behalf after 2009, the Plan will pay out \$10.00 of monthly benefits for a Participant's lifetime ( $\$1,000 \times 1\% = \$10.00$ ). This is before any applicable reductions for early retirement or benefit form.

### **QUESTIONS AND ANSWERS**

*What if I am already retired, but I earned benefits on or after January 1, 2010? Does my monthly benefit also increase?*

Yes, your pension will be recalculated and you will receive a higher monthly benefit starting with your January 2022 pension check.

*What about the pension checks that have already been paid? Will I receive any “make-up” payments?*

No, the changes are effective for monthly pension benefits payable on or after January 1, 2022. There will be no changes to amounts paid before 2022.

*What about benefits earned before January 1, 2010? Will they also be increasing?*

No, the benefits earned before 2010 will remain the same.

*How much will my monthly benefit go up by?*

If you are already retired, you will receive a personalized letter in December 2021 showing how much your benefit will increase by starting with your January 2022 pension check.

If you are not yet retired, your next annual benefit statement will reflect the benefit increase. These statements are sent out every summer.

## **ADDITIONAL INFORMATION**

This notice constitutes a Summary of Material Modifications. You should file this notice with your copy of the summary plan description (“SPD”) because it changes certain information contained in the SPD. The Board of Trustees may, from time to time and at any time, adopt such rules and procedures that it determines to be necessary or desirable with respect to the operation of the Plan, and amend, modify, or eliminate any provision of the Plan.

Please direct any questions you may have about this notice or the Plan in general to the Fund Office:

Construction Industry Laborers’ Pension Fund  
Wilson-McShane Corporation  
12200 N. Ambassador Drive, Suite 400  
Kansas City, MO 64163  
Phone: 816.756.3313

Mailing Address:  
P.O. Box 909500  
Kansas City, MO 64190-9500

Sincerely,

**BOARD OF TRUSTEES**



**CONSTRUCTION  
INDUSTRY LABORERS**

**FRINGE BENEFIT FUNDS**

PO Box 909500  
Kansas City, MO 64190  
(816) 777-2669  
(833) 479-9429 (toll free)  
(816) 756-3659 (fax)

Managed for the Trustees by  
Wilson-McShane Corporation

**To: All Construction Industry Laborers' Pension Fund Participants, Beneficiaries,  
Participating Unions and Contributing Employers**

**July 2022**

**PARTICIPANT NOTICE**

This Participant Notice will advise you of certain material modifications (plan changes) that have been made to the Construction Industry Laborers' Pension Fund (the Plan). This information is **very important** for you. Please take the time to read it carefully.

**TEMPORARY WINDOW FOR WORKING IN DISQUALIFYING EMPLOYMENT  
THAT IS ALSO COVERED EMPLOYMENT**

Effective July 1, 2022 through December 31, 2023, the Board of Trustees has established a temporary window that discontinues the plan rule that provides for suspension of pension benefits when a retiree performs more than 475 hours of Disqualifying Employment that is also Covered Employment. **Please note that this temporary window applies only to a retiree working in Covered Employment.**

**Under the temporary window, a retiree can work an unlimited number of hours in Covered Employment between July 1, 2022 through December 31, 2023 without having their pension suspended.**

The temporary change to the rules is only available for the period July 1, 2022 through December 31, 2023. On January 1, 2024, the number of hours of work allowed will revert back to the Plan rule for retirees working in disqualifying employment that is also covered employment, 475 hours, as provided for in Section 3.26(j) of the Plan Document.

The temporary change to the rules only applies to retirees who have been retired for at least four months prior to or during the temporary window period of July 1, 2022 through December 31, 2023. For example, if you retired on June 1, 2022, this temporary window will not apply to you until October 1, 2022. Before October 1, 2022 the standard Plan rules will apply.

**The temporary rule does not apply to work in Disqualifying Employment, which is not Covered Employment.** If a retiree works in Disqualifying Employment, his or her benefit may be suspended. Review the Summary Plan Description or contact the Fund Administrator for more information about Disqualifying Employment.

## **Reminder of Eligibility Requirements for Commencing Your Pension**

To become eligible to commence any pension benefit under the Plan you must sever all employment with all Contributing Employers. **The temporary window to the Disqualifying Employment rules described above does not alter this eligibility requirement.**

### **ADDITIONAL INFORMATION**

This notice constitutes a Summary of Material Modifications. You should file this notice with your copy of the summary plan description (“SPD”) because it changes certain information contained in the SPD. The Board of Trustees may, from time to time and at any time, adopt such rules and procedures that it determines to be necessary or desirable with respect to the operation of the Plan, and amend, modify, or eliminate any provision of the Plan.

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Phone: 1-833-479-9429

Mailing Address:  
P.O. Box 909500  
Kansas City, MO 64190-9500

Sincerely,

BOARD OF TRUSTEES  
CONSTRUCTION INDUSTRY LABORERS  
PENSION FUND