

**IMPORTANT NOTICE CONCERNING CHANGE
TO THE HEALTH FUND**

To: All Non-Retired Plan Participants

COBRA Premium Reduction.

The Board of Trustees would like to inform all participants about an important new change to the Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”). Please read this Notice carefully and keep it with your records concerning the Fund.

The American Recovery and Reinvestment Act of 2009 (“ARRA”) provides for a federal COBRA premium subsidy and additional election opportunities for certain qualified individuals. Eligible individuals pay only 35% of their COBRA premiums, with the remaining portion reimbursed by the federal government to the Plan. The premium reduction applies to periods of health coverage beginning on or after March 1, 2009 and lasts for up to nine (9) months.

The premium reduction is available to “assistance eligible individuals” (“AEIs”). An AEI is the employee or member of his or her family who: 1) is eligible for COBRA coverage at any time between September 1, 2008 and December 31, 2009; 2) elects COBRA coverage; and 3) is eligible for COBRA as a result of the employee’s **involuntary termination** between September 1, 2008 and December 31, 2009.

The premium reduction will end after the earlier of: 1) the date nine (9) months after the first day of the first month that the subsidy was available); 2) the date the qualified beneficiary becomes eligible for coverage (see below) under another group health plan or Medicare; or 3) the date COBRA coverage would otherwise end (e.g., failure to pay premium). At the time that the premium reduction ends, you will be required, if still eligible for COBRA coverage, to pay the entire COBRA premium or face termination of coverage. Note that the premium reduction does not extend the maximum COBRA period to which you are entitled (typically 18 months from the date of the involuntary termination).

If you are eligible for other group health coverage (such as a spouse’s plan) or Medicare, you are NOT eligible for the premium reduction. Note that eligibility, not coverage, is the threshold. It is your responsibility to notify the Plan Administrator, in writing, of such eligibility. A form is available from the Administration Office for this notification. If you fail to do so, you may be fined 110% of the amount of the subsidy improperly received.

If you were involuntarily terminated between September 1, 2008 and February 16, 2009, and either did not elect COBRA when first offered or did elect COBRA but are no longer enrolled, you are eligible for a special COBRA election opportunity. This election period begins on February 17, 2009 and ends 60 days after the Plan provides notice of the special election period. Note that this special election period does not extend the period of COBRA continuation coverage beyond the original maximum period (generally 18 months from the employee's involuntary termination). COBRA coverage elected in this special election period begins on March 1, 2009. Neither the premium reduction nor the coverage will be retroactive prior to that date.

If you are denied treatment as an AEI and therefore denied the premium reduction, you are entitled to request an expedited review of the denial by the U.S. Department of Labor. The Department is required under the law to make a determination within 15 business days of receipt of a completed request for review.

If you have any questions, please contact **Anita Rickman** in the Administration Office at 888-466-9094. (Press "2" after the message.)

SUMMARY OF MATERIAL MODIFICATIONS

EIN: 31-6068797 PN: 501

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