

# AIRCONDITIONING AND REFRIGERATION INDUSTRY RETIREMENT TRUST

## NOTICE TO PARTICIPANTS AND ALTERNATE PAYEES AND EACH EMPLOYEE ORGANIZATION

This Notice will advise you of important changes to the Airconditioning and Refrigeration Industry Retirement Trust Fund (the "Plan").

Effective January 1, 2009, a retiree may have an ownership interest in a company that is signatory to a Collective Bargaining Agreement that requires contributions to the Airconditioning and Refrigeration Industry Retirement Trust so long as the following conditions are met:

1. The retiree does not perform bargaining unit work as described in the Collective Bargaining Agreement.
2. The signatory company has employee(s), other than owners, for which the combined total hours of all employees is 110 or more per month, and all contributions for said hours are timely reported and paid to the Airconditioning and Refrigeration Industry Retirement Trust.
3. The signatory company does not engage in any arrangement whereby work that would require contributions to the Airconditioning and Refrigeration Industry Retirement Trust is performed by a person or entity that is not signatory to an agreement requiring contributions to the Airconditioning and Refrigeration Industry Retirement Trust.

For each month that the retiree does not satisfy all of the above requirements, his/her pension benefit will be suspended. There will be no retroactive reinstatement of the retiree's pension.

*This notice is being provided to you in accordance with section 204(h) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA") and section 4980F of the Internal Revenue Code of 1986, as amended, and is provided to all plan participants and alternate payees and employee organizations. This notice also constitutes your summary of material modifications as required by section 104(b) of ERISA and should be kept with your copy of the Plan's summary plan description and other important plan documents.*