

International Association of Machinists Motor City Pension Fund

EIN/Plan #: 38-6237143/001

Checklist Item #29 – 6.06 Plan Sponsor Certifications Relating to Plan Amendments

Does the application include the plan sponsor's representation that, if it receives the Treasury Department's final authorization to suspend and then chooses to implement the suspension, it will also amend the plan

- *to indicate that the suspension will cease upon the plan sponsor's failure to determine that both all reasonable measures continue to be taken to avoid insolvency and that the plan is projected to become insolvent without a suspension,*
- *to require that any future benefit improvements must satisfy [§432\(e\)\(9\)\(E\)](#), and*
- *to specify that the plan sponsor will not modify these amendments, notwithstanding any other provision of the plan document.*

See section 6.06.

Document 29.1 is the representation by authorized Trustees that the Plan will be amended to reflect the proposed benefit suspension if approved.

Document 29.2 is the amendment to the plan document which would add the proposed benefit suspension.

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Document 29.1

The Board of Trustees certifies that if it receives final authorization to implement the suspension as described in Code Section 432(e)(9)(H)(vi) and chooses to implement the authorized suspension, then, in addition to the plan amendment implementing the suspension, the following plan amendments will be timely adopted and not modified at any time thereafter before the suspension of benefits expires:

(1) A plan amendment providing that in accordance with Code Section 432(e)(9)(C)(ii) the benefit suspension will cease as of the first day of the first plan year following the plan year in which the Board of Trustees fails to maintain a written record of its determination that both:

(a) All reasonable measures to avoid insolvency continue to be taken during the period of the benefit suspension.

(b) The plan would not be projected to avoid insolvency if no suspension of benefits were applied under the plan.

(2) A plan amendment providing that any future benefit improvements must satisfy the requirements of Code Section 432(e)(9)(E).

Redacted by the U.S. Department of the Treasury

Name _____

Name _____

Date _____

Date 3-27-17

Title _____

Title _____

Document 29.1

The Board of Trustees certifies that if it receives final authorization to implement the suspension as described in Code Section 432(e)(9)(H)(vi) and chooses to implement the authorized suspension, then, in addition to the plan amendment implementing the suspension, the following plan amendments will be timely adopted and not modified at any time thereafter before the suspension of benefits expires:

(1) A plan amendment providing that in accordance with Code Section 432(e)(9)(C)(ii) the benefit suspension will cease as of the first day of the first plan year following the plan year in which the Board of Trustees fails to maintain a written record of its determination that both:

(a) All reasonable measures to avoid insolvency continue to be taken during the period of the benefit suspension.

(b) The plan would not be projected to avoid insolvency if no suspension of benefits were applied under the plan.

(2) A plan amendment providing that any future benefit improvements must satisfy the requirements of Code Section 432(e)(9)(C)

Name _____

Date _____

Title _____

Redacted by the U.S. Department of the Treasury

Name

Date

Title

March 28, 2017

Chairman

Document 29.2

**SECOND AMENDMENT
TO THE
INTERNATIONAL ASSOCIATION OF MACHINISTS MOTOR CITY
PENSION PLAN**

WHEREAS, the International Association of Machinists Motor City Pension Plan (the “Plan”) was established effective June 1, 1955 to provide retirement benefits to eligible participants; and

WHEREAS, the Plan has been amended from time to time and was most recently restated in its entirety as of July 1, 2014, and

WHEREAS, the Trustees have power to amend the Plan under Section 9.01; and

WHEREAS, the Plan was in “critical and declining” status and applied to the Treasury Department for benefit suspensions under the Multiemployer Pension Reform Act (MPRA); and

WHEREAS, the Treasury approved the Trustee’s application for benefit suspensions under MPRA and the Secretary of the Treasury has certified that a majority of participants has voted in favor of the benefit suspension under regulation §1.432(e)(9)-1(h)(2)(v);

NOW THEREFORE, the Plan is amended to implement such suspension, effective January 1, 2018, unless otherwise stated, as follows:

ARTICLE IV - BENEFITS

Article IV shall be amended by adding a new *Section 4.16 – Benefits After MPRA Suspension*

Section 4.16 – Benefits After MPRA Suspension

In accordance with the application to suspend benefits the Trustees submitted to and approved by the Treasury Department under the *Multiemployer Pension Reform Act (MPRA)*. Notwithstanding the foregoing Sections of this Article or any other part of the Plan, effective January 1, 2018 benefits shall be suspended as follows:

Participants Or Beneficiaries In Pay Status As Of January 1, 2018

The monthly benefit payable to Participants or Beneficiaries in pay status as of January 1, 2018, will be reduced as of said date to 110% of the amount of payment the Participant or Beneficiary would receive from the PBGC under its multiemployer guarantee program under ERISA 4022A if the Plan went insolvent. This reduction shall apply to benefits earned through January 1, 2018 and shall commence with the January 2018 payment. The benefit suspension shall not affect the any other facet of a Participant’s or Beneficiary’s benefit other than the monthly payment amount.

However, the foregoing benefit reductions shall not apply to any Disability Benefits in pay status as of January 1, 2018 or to the benefits of any Participant or Beneficiary who has attained age eighty (80) as of January 31, 2018.

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Participants whose benefit is less than or equal to 110% of the PBGC multiemployer guarantee benefit will not have a benefit reduction. Benefits earned after January 1, 2018 will accrue at five-tenths of a percent (0.5%) for credited contributions.

Participants and Beneficiaries who have attained age seventy-five (75) shall have their monthly benefit reduced by the “applicable percentage” under Code Section 432(e)(9)(D)(ii). The “applicable percentage” is a percentage equal to the quotient obtained by dividing the number of months during the period beginning with the month after the month in which occurs the effective date of the suspension and ending with the month during which the Participant or Beneficiary attains the age of eighty (80), by sixty (60) months.

Participants Or Beneficiaries Not In Pay Status As Of January 1, 2018

The monthly benefit payable to Participants or Beneficiaries not in pay status as of January 1, 2018, will be reduced as of the first monthly payment upon going into pay status to 110% of the amount of payment the Participant or Beneficiary would receive from the PBGC under its multiemployer guarantee program under ERISA 4022A if the Plan went insolvent. This reduction shall apply to benefits earned through January 1, 2018. Benefits earned after January 1, 2018 are not affected and will accrue at five-tenths of a percent (0.5%) for credited contributions. The benefit suspension shall not affect the any other facet of a Participant’s or Beneficiary’s benefit other than the monthly payment amount.

IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____, 2017.

TRUSTEES

Appointed by Employers

Appointed by Union

