

MEMORANDUM OF UNDERSTANDING

WHEREAS the Mechanical Contractors Association of Detroit, Inc. and Journeymen Plumbers Local No. 98 of Detroit, Michigan are parties to a collective bargaining agreement (CBA) effective June 28, 2008, through May 31, 2011 (CBA);

WHEREAS, pursuant to the terms of the Pension Protection Act (PPA) the actuary for the Plumbers Local 98 Defined Benefit Fund (Fund) has certified the Fund to be in critical status as of January 1, 2010;

WHEREAS, as required by the PPA, the Board of Trustees of the Fund have agreed upon the a Rehabilitation Plan, as set forth in the attached Resolution;

NOW, THEREFORE, the parties agree to amend the Collective Bargaining Agreement as follows:

1. Contribution increases to the Fund required for implementation of Schedule A in the attached Resolution are agreed upon as follows:

June 1, 2010 (first full week): \$0.50

June 1, 2011 (first full week): \$0.45

June 1, 2012 (first full week): \$0.40

These increases are to be paid from the existing wage package.

2. Upon review and recommendation by the Fund actuary, the Fund Trustees will modify the Rehabilitation Plan annually.
3. Throughout the Rehabilitation Adoption Period and Rehabilitation Period, if the Fund actuary projects a negative credit balance, by March 31 of the year in which the Fund actuary makes any such projection the Union Trustees will either reduce benefits provided by the Fund or the Union will allocate additional contributions from the existing package in order to eliminate this projected negative credit balance
4. Throughout the Rehabilitation Adoption Period and Rehabilitation Period, if the Fund actuary projects that the Fund will not emerge from critical status as projected in Projection 13(E) (as incorporated into Schedule A), by March 31 of the year in which the Fund actuary makes any such projection the Union Trustees will either reduce benefits provided by the Fund or the Union will allocate additional contributions necessary to ensure that the Fund will emerge from critical status as projected in Projection 13(E).
5. All other terms and conditions of the CBA remain unchanged.

WHEREFORE, the parties have executed this Memorandum of Understanding on 3/31, 2010.

**JOURNEYMEN PLUMBERS
LOCAL NO. 98 OF DETROIT,
MICHIGAN**

**MECHANICAL CONTRACTORS
ASSOCIATION OF DETROIT, INC.**

By: 

By: 