

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into this 1<sup>st</sup> day of June, 2011, by and between the MECHANICAL CONTRACTORS ASSOCIATION OF DETROIT, INC. (hereinafter referred to as the "Association"), and JOURNEYMEN PLUMBERS LOCAL NO. 98 (hereinafter referred to as the "Union").

### **WITNESSETH:**

**WHEREAS**, the parties have executed a collective bargaining agreement for the period June 28, 2011 – May 31, 2014; and

**WHEREAS**, the parties wish to re-affirm the MOU signed on March 30, 2010 and

### **NOW, THEREFORE, IT IS AGREED:**

1. Notwithstanding the provisions of paragraph 150 of the Agreement, the parties recognize that the provisions of this MOU are fully binding on them just as if they were set out in the agreement.
2. Contribution increases to the Fund required for implementation of Schedule A in the Resolution adopted by the Trustees of the Defined Benefit Pension Fund on March 30, 2010, are agreed upon as follows:  
  
June 1, 2012 (first full week): \$0.40.
3. Upon review and recommendation by the Fund actuary, the Fund Trustees will modify the Rehabilitation Plan adopted by the Trustees May 25, 2010, annually.
4. Throughout the Rehabilitation Adoption Period (commencing March 31, 2010) and Rehabilitation Period (commencing January 1, 2012), 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.

5. Throughout the Rehabilitation Adoption Period (commencing March 31, 2010) and Rehabilitation Period (commencing January 1, 2012), 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 of the Resolution adopted by the Fund Board of Trustees on March 30, 2010), 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).

**WHEREFORE**, the parties have caused this Memorandum of Understanding to be executed by their duly authorized representatives on the day and year first written above.

**PLUMBERS LOCAL UNION NO. 98  
of the UNITED ASSOCIATION OF  
JOURNEYMEN AND APPRENTICES OF  
THE PLUMBING AND PIPEFITTING  
INDUSTRY OF THE UNITED STATES  
AND CANADA, AFL-CIO**

By: \_\_\_\_\_

  
Carlo Castiglione  
Business Manager, Local 98

Date: 12-16-11

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

By: \_\_\_\_\_

  
By: \_\_\_\_\_

Date: 12-27-2011