

UPPER PENINSULA PLUMBERS' & PIPEFITTERS' FRINGE BENEFIT FUNDS

UP Plumbers' & Pipefitters' Health & Welfare Fund
UP Plumbers' & Pipefitters' Pension Fund
UP Plumbers' & Pipefitters' Defined Contribution Plan
UP Plumbers' & Pipefitters' Educational Fund

Managed for the Trustees by:
TIC INTERNATIONAL CORPORATION

May 22, 2009

TO: ALL PLAN PARTICIPANTS OF THE UPPER PENINSULA PLUMBERS' &
PIPEFITTERS' DEFINED CONTRIBUTION PLAN

RE: SUMMARY OF MATERIAL MODIFICATION

Dear Plan Participant:

This is to announce that the Trustees of the Upper Peninsula Plumbers' & Pipefitters' Defined Contribution Fund ("The Plan") have amended the Plan. This Notice, known as the Summary of Material Modification ("SMM") is an amendment to the Summary Plan Description ("SPD") you received previously. You should keep this SMM with the SPD for future reference.

The Board of Trustees of the Defined Contribution Fund has adopted the following Plan modification:

- Effective May 22, 2009, hardship distributions because of immediate and heavy financial need may be made.
- A hardship distribution may be made no more than once every 12 months.
- A hardship distribution shall not exceed 70% of the combined amount of the Participant's Profit Sharing Account (which holds Employer contributions attributable to employment on and after January 1, 2008) and Participant's Employee Contribution Account (which holds Employee Contributions made at the election of Participant on and after January 1, 2008). A hardship distribution may not include the earnings on these contributions.
- The Administrator may further limit the amount of hardship distribution to ensure that each Participant pays federal and state taxes, and will have funds remaining to pay his or her allocable share of Plan expenses.
- A Participant's Money Purchase Account (which holds Employer contributions attributable to employment prior to January 1, 2008 and allocable earnings), is not eligible for hardship distributions.
- The person receiving a hardship distribution must provide documentation evidencing hardship. Hardship would include health care expenses, costs directly related to purchase

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of a principal residence, tuition, educational fees, room and board for post-secondary education, money needed to prevent eviction from principal residence, money needed to prevent eviction from principal residence, money needed to prevent foreclosure, burial and funeral expenses, and expenses relating to repair of damage to principal residence.

- Hardship distributions may be made for the Participant, Participant's spouse, or dependent, or beneficiary.
- The person receiving a hardship distribution must pay all income taxes and penalties. The hardship distribution form will require an election for withholding.
- The existence of an immediate and heavy financial need, and the amount necessary to meet the need, must be shown in accordance with non-discriminatory and objective standards. A distribution may not be made if the Participant has other resources that are reasonably available.
- If the Plan Administrator denies an application for hardship distribution, the party denied may appeal to the Trustees of the Upper Peninsula Plumbers' and Pipefitters' Defined Contribution Plan.
- If a hardship distribution is made by mistake, the Plan Administrator shall take action to have the distribution returned to the Plan, and take other action to correct the mistake.

If you have any questions regarding this information, please contact the Fund Office.

Sincerely,

Board of Trustees,
Upper Peninsula Plumbers & Pipefitters' Defined Contribution Plan