

Notice to Active Employees

This notice is intended to respond to some frequently asked questions among the “active” Plan members under the Proposal. If you would like to discuss these issues further, or have additional questions, please contact our telephone or email inquiry lines.

What do I gain if I agree to move to the New Plan?

You will receive a two-year contribution holiday. This means that for two years following approval of the Proposal, you will not have contributions to the Plan deducted from your regular wages. Rather, the contributions will be funded out of the ongoing surplus transferred to the New Plan.

In addition, you receive a commitment of no changes to the Plan benefit formula for at least two years.

What benefits do I give up by moving to the New Plan?

None. All benefits that you have accrued under the Plan are protected, and will be transferred to the New Plan. These benefits cannot be taken away from you.

What about my Plan expenses claim?

If you consent to move to the New Plan, you give up your right to sue the company for paying Plan expenses out of the pension trust fund. However, the chance of success of this claim has diminished significantly since the action was started, and even if successful, the remedy would likely be return of funds to the Plan and no direct benefit to members.

What about my potential surplus rights?

As an active employee, you do not have any right to access surplus while the Plan is ongoing. You only have a potential entitlement to surplus where you are included in a partial plan wind up, or if there is a total wind up of the Plan at some future date.

If I move to the New Plan do I give up my surplus rights?

No. The right of members to argue that they are entitled to surplus under the Plan on wind up has been expressly preserved in the New Plan under the Proposal. Moving to the New Plan does not affect your future right to argue that you own the surplus.

What do I give up if I do not consent?

You give up participation in the Proposal. If you do not consent you will not move to the New Plan and you will not obtain the 2-year contribution holiday or the 2-year benefit formula commitment.