



**PENSION TRUST FUND • WELFARE FUND • RETIREE WELFARE PLAN  
VACATION SAVINGS PLAN • RETIREMENT ENHANCEMENT FUND**

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**JAMES M. SWEENEY, CHAIRMAN / DAVID M. SNELTEN, SECRETARY-TREASURER**

**Midwest Operating Engineers Pension Plan  
Notice to Employers and Sponsoring Unions - Section 104(d) Notice  
February 2023**

Dear Contributing Employer or Association:

Enclosed is the required **Notice to Employers and Sponsoring Unions** which must be provided on behalf of the Midwest Operating Engineers Pension Plan.

As required under ERISA Section 104(d), as amended by the Pension Protection Act of 2006, is the Notice to Employers and Sponsoring Unions of the Midwest Operating Engineers Pension Trust Fund. The purpose of this notice is to provide certain financial information as required to be filed on the 2021 Form 5500 Schedule R for the Plan Year beginning April 1, 2021 and ending March 31, 2022.

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

Sincerely,

Thomas M. Bernstein  
Administrative Manager  
Midwest Operating Engineers Fringe Benefit Funds

Enclosure

# Notice to Employers and Sponsoring Unions

## Midwest Operating Engineers Pension Trust Fund

### For the Year Ended March 31, 2022

February 2023

**To: International Union of Operating Engineers, Local 150, AFL-CIO,  
Contributing Employers, and Associations**

This notice regarding Midwest Operating Engineers Pension Trust Fund (the Plan) is being provided as required by Section 104(d) of ERISA as amended by the Pension Protection Act of 2006. The 2021 Plan Year began on April 1, 2021 and ended on March 31, 2022 and information shown below is for the 2021 Plan Year, except as otherwise indicated.

**1. Contributions and Benefits:**

(a) Contribution Rates:

Varies from \$1.00 to \$17.44 per hour as of the valuation date. The average contribution rate as of April 1, 2021 is \$11.63 per hour out of which \$5.85 is subject to benefit accrual (all contributions are subject to accrual on or after June 1, 2021, retroactive to April 1, 2020).

(b) Benefit Formula:

For Service on or Before September 30, 2009

- 3.6% of employer contributions made on a participant's behalf for service before April 1, 2000 provided the participant has worked at least 500 hours in Plan years beginning April 1, 1998 or April 1, 1999; plus
- 3.6% of employer contributions made on a participant's behalf for service between April 1, 2000 and March 31, 2006; plus
- 3.0% of employer contributions made on a participant's behalf for service between April 1, 2006 and December 31, 2008; plus
- 2.0% of employer contributions made on a participant's behalf for service between January 1, 2009 and September 30, 2009

For Service between October 1, 2009 and September 30, 2013

- 1.5% of non-supplemental employer contributions made on a participant's behalf
  - ✓ The following table shows the amount of the hourly contribution rate that is deemed supplemental (i.e., not subject to benefit accruals):

Date	Supplemental Contribution (per hour)
October 1, 2009 – September 30, 2010	\$1.00
October 1, 2010 – September 30, 2011	\$2.00
October 1, 2011 – October 31, 2012	\$2.50
November 1, 2012 – September 30, 2013	\$3.50

For Service on or After October 1, 2013

- 1.0% of non-supplemental employer contributions made on a participant’s behalf made between October 1, 2013 and March 31, 2020. Participants with Annuity Starting Dates between October 1, 201 and June 1, 2021, shall be credited with 1.0% of all non-supplemental contributions required to be made on or after October 1, 2013.
- Effective for Annuity Starting dates on or after July 1, 2021, 1.0% of all employer contributions required to be made on and after April 1, 2020.
  
- ✓ Under the Preferred Schedule of the Funding Improvement Plan, the following table shows the hourly contribution rate that is deemed supplemental (i.e., not subject to benefit accruals):

<b>Date</b>	<b>Supplemental Contribution*(per hour)</b>
October 1, 2013 – September 30, 2014	\$4.00
October 1, 2014 – September 30, 2015	\$4.50
October 1, 2015 – September 30, 2016	\$5.00
October 1, 2016 – September 30, 2017	\$5.50
October 1, 2017 – September 30, 2018	\$6.00
October 1, 2018 – March 31, 2020	\$6.50

\*The amount is lower for employers paying an hourly rate of less than \$8.50 on September 30, 2013. In addition, before October 1, 2016, no more than 50% of the total contributions will be considered as supplemental contributions. Effective October 1, 2017, additional contributions diverted from the Active Welfare Fund are also considered as supplemental contribution.

- ✓ Under the Default Schedule of the Funding Improvement Plan, the total contribution rate in effect when the Funding Improvement Plan is adopted is considered as supplemental contributions.
2. **Employers:** During the 2021 Plan Year, 1,613 employers contributed to the Plan.
  3. **Employers Contributing More than 5% during the 2021 Plan Year:**  
No employer contributed more than 5% during the 2021 Plan Year.
  4. **Participants with No Contributions:** There were 0 participants in the Plan in each of the Plan Years ended in 2022, 2021, and 2020, for whom no employer contributions were made. For purposes of this item, only employees of employers that have withdrawn as of the beginning of the year are counted. Retirees and deferred vested participants are not counted.
  5. **Plan Funding Status:** The Plan was in neither critical nor endangered (“Green Zone”) status for the Plan Year beginning April 1, 2021.
  6. **Withdrawing Employers in Previous Year:** No employers withdrew from the fund during the prior 2020 Plan Year.
  7. **Mergers:** There were no Plan mergers during the 2021 Plan Year.

8. **Amortization Extension:** The Plan applied for a five-year amortization extension and received approval for the unfunded charge bases as of April 1, 2008 from the Internal Revenue Service in accordance with Internal Revenue Code Section 431(d). The Plan did not use the shortfall funding method for the 2021 Plan Year.
9. **Additional Information:** You also have the right to obtain a copy of the 2021 Form 5500, Summary Plan Description, or Summary of Material Modifications upon written request to the Fund Office and payment of a reasonable charge to cover the costs of furnishing copies of such documents. You are only entitled to receive one copy of each of these documents during any 12-month period.