



Industry & Local 338 Pension Plan

Actuarial Update
October 28, 2022

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Miami ■ San Diego ■ San Francisco ■ Washington, D.C.

Today's Discussion

- **Recent PBGC Announcements**
 - Premium Increase 2023
 - Proposed Rule on Withdrawal Liability Assumptions
- **2022 PPA Zone Status Certification – Review**
- **Actuarial Value of Assets**
- **Updated Funding Projections**
- **2021 – 2022 Plan Year Timeline**
- **Appendix**
 - Contribution Rate Summaries
 - Data, Assumptions, Methods, and Plan Provisions

Recent PBGC Announcements

PBGC Premium Increase

- **Flat Rate Premium for 2023 is \$35 per participant**
 - Increased from 2022 rate of \$32 per participant
 - Indexed to National Average Wage Index, a measure of U.S. wage trends calculated annually by the Social Security Administration
- **Industry & Local 338 Plan Premium Projection**
 - 7/1/2021 – 6/30/2022 Projected Expenses - \$35,247
 - Based on similar participant counts
 - 7/1/2022 – 6/30/2023 at \$32 per participant = \$36,384
 - 7/1/2023 – 6/30/2024 at \$35 per participant = \$39,795
 - Increase of approximately \$2,300 over lower projected rate of \$33 per participant
 - American Rescue Plan Act of 2021 included a scheduled increase in the PBGC premium rate to at least \$52 per participant for 2031
- **Forecasts included in this presentation reflect the updated PBGC premium rates**

PBGC Proposed Rule on Actuarial Assumptions

- On October 13, 2022, the Pension Benefit Guaranty Corporation (“PBGC”) released a proposed rule on actuarial assumptions that may be used in determining a withdrawing employer’s liability under a multiemployer plan

ERISA Section 4213(a) – Actuarial Assumptions

The **[PBGC]** may **prescribe by regulation** actuarial assumptions which may be used by a plan actuary in determining the unfunded vested benefits of a plan for purposes of determining an employer’s withdrawal liability under this part. Withdrawal liability under this part shall be determined by each plan on the basis of—

- (1) actuarial assumptions and methods which, **in the aggregate**, are reasonable (taking into account the experience of the plan and reasonable expectations) and which, **in combination**, offer the **actuary’s best estimate** of anticipated experience under the plan, or
- (2) actuarial assumptions and methods set forth in the corporation’s regulations for purposes of determining an employer’s withdrawal liability.

PBGC Proposed Rule on Actuarial Assumptions

- The rule provides actuarial assumptions and methods under ERISA 4213(a)(2) as an alternative to the actuary's "best estimate" assumptions and methods under 4213(a)(1)
- Guidance covers the interest rate assumption separately from other assumptions
- The proposed rule applies to the determination of withdrawal liability for withdrawals that occur on or after the effective date of the final rule
- However, the proposed rule does not preclude the use of an interest rate assumption described in the proposed rule to determine withdrawal liability before the effective date of the final rule

PBGC Proposed Rule: Interest Rate Assumption

Permissible Range of Interest Assumption

29 CFR 4213.11(b)

Plans may use any rate within the range below, including “blended” methods



Commentary

- **Who selects the interest rate assumption?**
 - It appears that the plan sponsor (i.e., the trustees) would select the interest rate under ERISA section 4213(a)(2) (i.e., under PBGC regulations)
- **Interest rate under ERISA section 4213(a)(2) is not the “actuary’s best estimate”**
- **“Single effective interest rate” not required to determine EWL**
 - Used to determine compliance with the PBGC regulations
 - Needed to compare interest rates developed based on multiple rates (e.g., PBGC rates)

PBGC Proposed Rule: Other Assumptions

EWL: <i>Statute</i>	EWL: <i>Proposed Rule</i>	Funding: <i>Statute</i>
ERISA Section 4213(a)(1)	29 CFR 4213.11(c)	ERISA Section 304(c)(3) IRC Section 431(c)(3)
[Withdrawal liability under this part shall be determined by each plan on the basis of] actuarial assumptions and methods which, <i>in the aggregate</i>, are reasonable (taking into account the experience of the plan and reasonable expectations) and which, <i>in combination</i>, offer the actuary's best estimate of anticipated experience under the plan...	The assumptions and methods (other than the interest rate assumption) satisfy the requirements of this section if— (1) Each is reasonable (taking into account the experience of the plan and reasonable expectations), and (2) <i>In combination</i>, they offer the actuary's best estimate of anticipated experience under the plan.	For purposes of this section, all costs, liabilities, rates of interest, and other factors under the plan shall be determined on the basis of actuarial assumptions and methods— (A) each of which is reasonable (taking into account the experience of the plan and reasonable expectations), and (B) which, <i>in combination</i>, offer the actuary's best estimate of anticipated experience under the plan.

PBGC Proposed Rule on Actuarial Assumptions

- **For Industry & Local 338 Pension Plan Withdrawal Liability**
 - The Interest Assumption is the Segal Blend
 - Other assumptions are those used in the funding valuation
- **Comments on the Proposed Rule are due by November 14, 2022**
- **We will provide additional information as it becomes available**

2022 PPA Zone Status Certification - Review

2022 PPA Certification

- **The Plan was certified as in the “Green Zone” for the July 1, 2022 – June 30, 2023 Plan Year on September 28, 2022**
- **Basis of the certification:**
 - Preliminary Assets based on -8.44% return for the plan year ending June 30, 2022 provided by SEI, then earning 7.25% in all future years
 - Projected liabilities based on results of the July 1, 2021 actuarial valuation, including a 7.25% interest rate
 - Projected Contributions
 - Only rate increases already included in CBAs as of the certification date are recognized
 - Reflects 10,100 weeks in all future years, based on input from the Trustees at the June 29, 2022 Board Meeting

Actuarial Value of Assets

Actuarial Value of Assets

- **The Trustees have approved an actuarial asset valuation method that gradually adjusts to market value, as follows:**
 - The actuarial value of assets (AVA) is equal to the market value of assets (MVA) less unrecognized returns in each of the last five years. The unrecognized return for a year is equal to the difference between the actual market return and the expected return on the market value of assets, phased in at the rate of 20% per year.
 - To comply with IRS regulations, the actuarial value of assets is not less than 80%, nor more than 120%, of the market value of assets.

B. Development of Actuarial Value of Assets

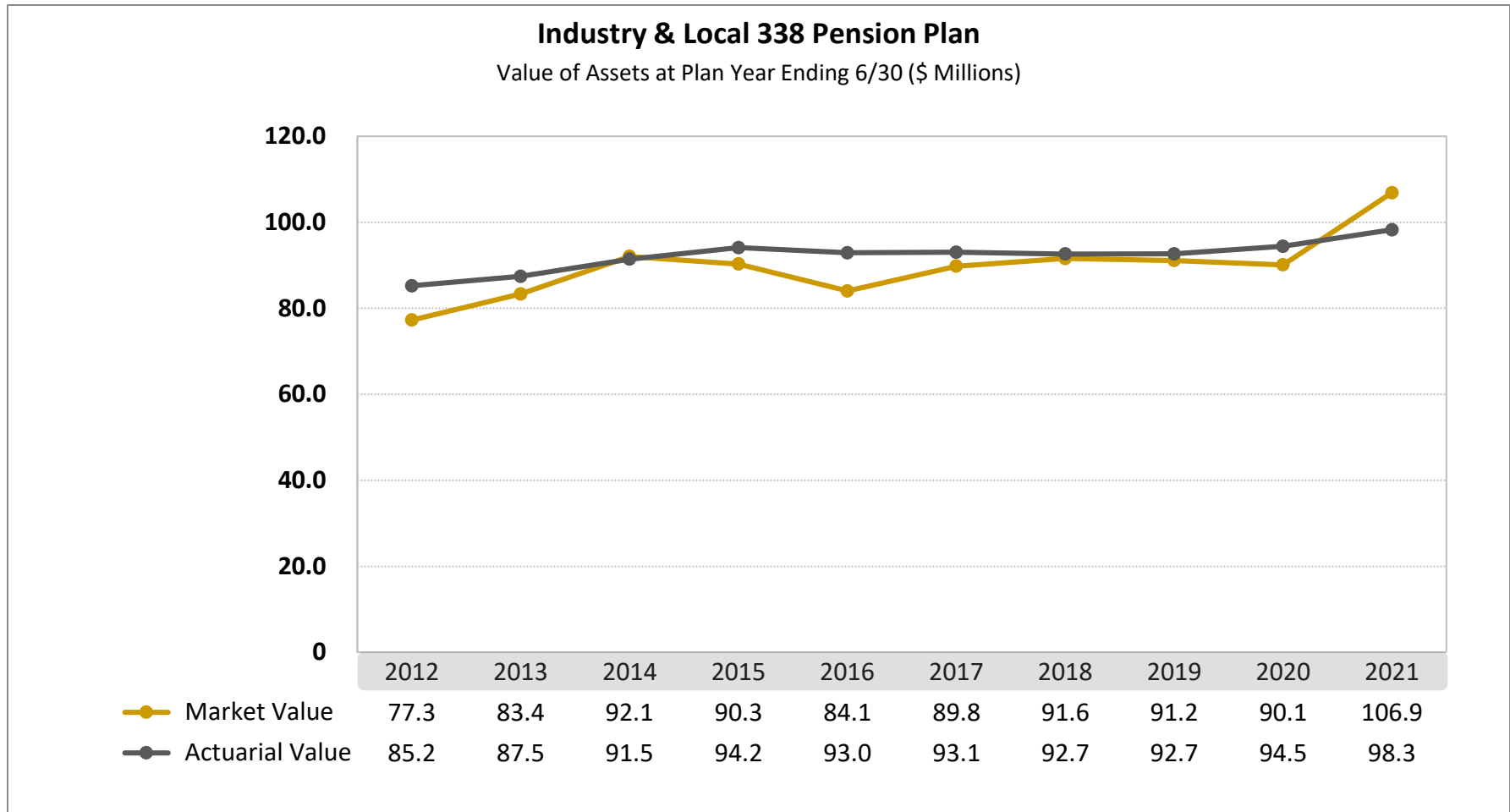
1. Market Value of Assets as of June 30, 2021 \$ 106,926,830

2. Prior Year Deferred Gains/(Losses)

Plan Year Ending	Net Investment Gain/(Loss)	Percent Recognized		Amount Recognized in Prior Plan Year	Amt. to be Recognized in Future Years
		to Date	Future Years		
6/30/2021	\$ 15,583,191	20%	80%	\$ 3,116,638	\$ 12,466,553
6/30/2020	(4,848,552)	40%	60%	(969,710)	(2,909,131)
6/30/2019	(2,399,892)	60%	40%	(479,978)	(959,957)
6/30/2018	236,616	80%	20%	47,323	47,323
6/30/2017	4,590,699	100%	0%	918,140	0
Total				\$ 2,632,413	\$ 8,644,788

3. Adjusted Value of Assets as of July 1, 2021 (1. - 2. Total) \$ 98,282,042

Value of Assets



Notes

- 1) Market values include receivable contributions.
- 2) Market values exclude receivable withdrawal liability payments.

Actuarial Value of Assets

- **When the MVA exceeds the AVA, it is prudent to consider taking advantage of an IRS rule that grants automatic approval for certain asset method changes.**
 - At July 1, 2021, we have deferred recognition of more gains than losses.
 - The Trustees may elect to reset the AVA to equal the MVA and restart the phase in of future gains and losses
 - Resetting the AVA to the MVA, we capture the value of those prior gains all at once, which temporarily increases the funded percentage and the credit balance, both of which are used in determining the Plan's zone status under PPA.
 - The credit balance is the primary driver of the Plan's zone status and resetting the AVA to equal the MVA provides a cushion to the credit balance.
- **The AVA method may be changed every 5 years without requesting formal approval from the IRS**
 - The method change may be elected by the Trustees prior to the extended Form 5500 filing deadline of March 15, 2023 (9-1/2 months after the end of the Plan Year)
- **Projection scenarios include impact of resetting the AVA to MVA as of July 1, 2021**

Summary of Key Results

*Preliminary Valuation
Results as of July 1, 2021*

Measurement Date	July 1, 2021	July 1, 2020
A. Normal Cost		
1. Cost of Benefit Accruals	\$ 961,434	\$ 932,552
2. Assumed Operating Expenses	361,882	361,882
3. Total	\$ 1,323,316	\$ 1,294,434
B. Actuarial Accrued Liability		
1. Active Participants	\$ 14,585,173	\$ 13,415,676
2. Inactive Vested Participants	16,143,838	15,385,041
3. Retired Participants and Beneficiaries	75,962,758	77,279,894
4. Total	\$ 106,691,769	\$ 106,080,611
C. Assets		
1. Market Value of Assets	\$ 106,926,830	\$ 90,149,205
Prior Year Net Investment Return	25.0%	1.8%
2. Actuarial Value of Assets	\$ 98,282,042	\$ 94,455,196
Prior Year Net Investment Return	9.8%	4.8%
D. Funded Percentages		
1. Market Value Funded Percentage (C.1. / B.4.)	100.2%	84.9%
2. Actuarial Value Funded Percentage (C.2. / B.4.)	92.1%	89.0%

Updated Funding Projections

Projection Assumptions and Methods

- **Unless otherwise stated, the projection assumptions, methods, data and plan provisions used are the same as those used for the Preliminary July 1, 2021 actuarial valuation.**
 - No future expected gains or losses other than those attributable to investment returns, as applicable.
- **Investment Earnings**
 - -8.44% return on assets for the plan year ending June 30, 2022
 - 7.25% per year, net of investment-related expenses, thereafter unless otherwise noted
- **Operating Expenses**
 - \$375,000 for the plan year beginning July 1, 2021, increasing 2.5% per year
 - Increase of PBGC premiums to \$35 reflected as of July 1, 2023
- **Contribution Levels**
 - Work Levels: Plan year beginning July 1, 2022: 10,100 total weeks
 - Contribution Rates: Included in Collective Bargaining Agreements
 - Westchester Local 860 rates reflect newly adopted CBA

Other assumptions may be reasonable and could produce different results. Other risks can negatively impact the funded status of the plan such as participants living longer than assumed. Additional scenarios available upon request.

Projection Assumptions and Methods (cont.)

■ Contracts

- 86% of hours worked under contracts that are expected to renew in PYB 2023
 - HP Hood, draft renewal with expiration September 30, 2023
 - Draft CBA includes increases September 1, 2021, November 1, 2021 and November 1, 2022
 - FrieslandCampina, renewed with expiration December 31, 2023
 - Montefiore New Rochelle, renewed with expiration November 5, 2023
 - Paraco, renewed with expiration January 31, 2024
- 13% of hours worked under contracts that are expected to renew in PYB 2022
 - LP Transport, expires August 15, 2022
- 1% of hours worked under contracts that are expected to renew in PYB 2025
 - Westchester Local 860, expires September 30, 2025

Other assumptions may be reasonable and could produce different results. Other risks can negatively impact the funded status of the plan such as participants living longer than assumed. Additional scenarios available upon request.

Projection Roadmap

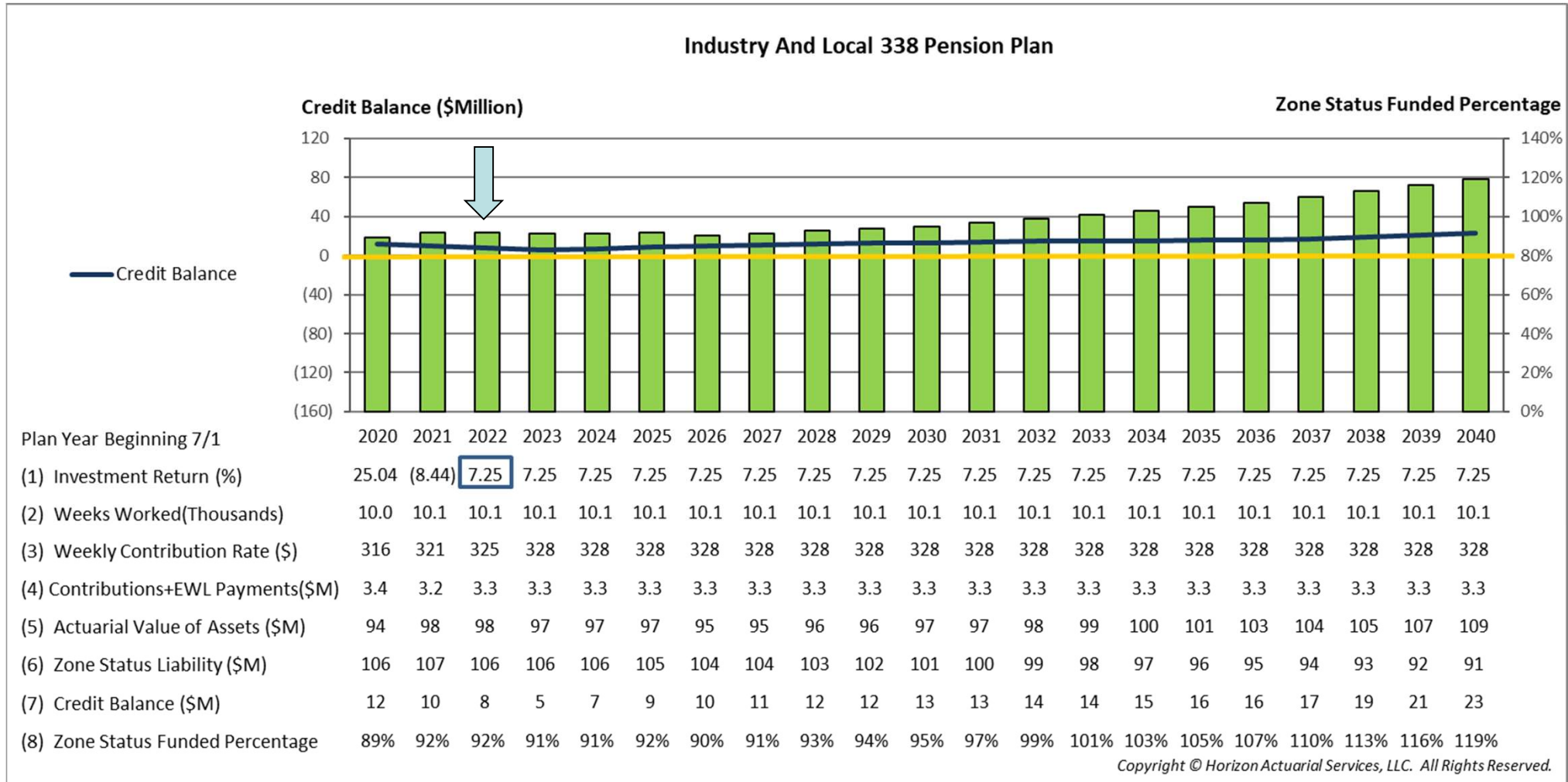
Scenario	Investment Return	Funded % / Credit Bal (\$M)		Future Zone Status Changes	100% Funded PYB	% Funded 7/1/2040	Credit Balance (\$M) 6/30/2041
	PYB 2022	PYB 2022	PYB 2023				
1 Preliminary 2022 Projection	7.25%	92% / \$8	91% / \$5	Green Throughout	2033	119%	\$23
2 Low ROA PYE 2022	0.00%	92% / \$8	90% / \$5	Red 2034	N/A	96%	\$1
3 Low ROA That Results in Non-Green 2023	-11.00%	92% / \$8	86% / \$5	Yellow 2023 / Red 2026	N/A	60%	(\$34)
AVA Reset to MVA 7/1/2021							
4 Preliminary Projection with AVA Reset	7.25%	98% / \$10	96% / \$9	Green Throughout	2033	119%	\$23
5 Low ROA with AVA Reset	0.00%	98% / \$10	95% / \$8	Red 2035	N/A	96%	\$1
6 Low ROA That Results in Non-Green 2023 with AVA Reset	-11.00%	98% / \$10	86% / \$7	Yellow 2025 / Red 2027	N/A	60%	(\$34)

All scenarios reflect:

- Weeks worked assumed to be 10,100 each plan year beginning 7/1/2021
- -8.4% Investment return for 7/1/2021 – 6/30/2022 plan year
- 7.25% Investment return for PYB 7/1/2023 and later

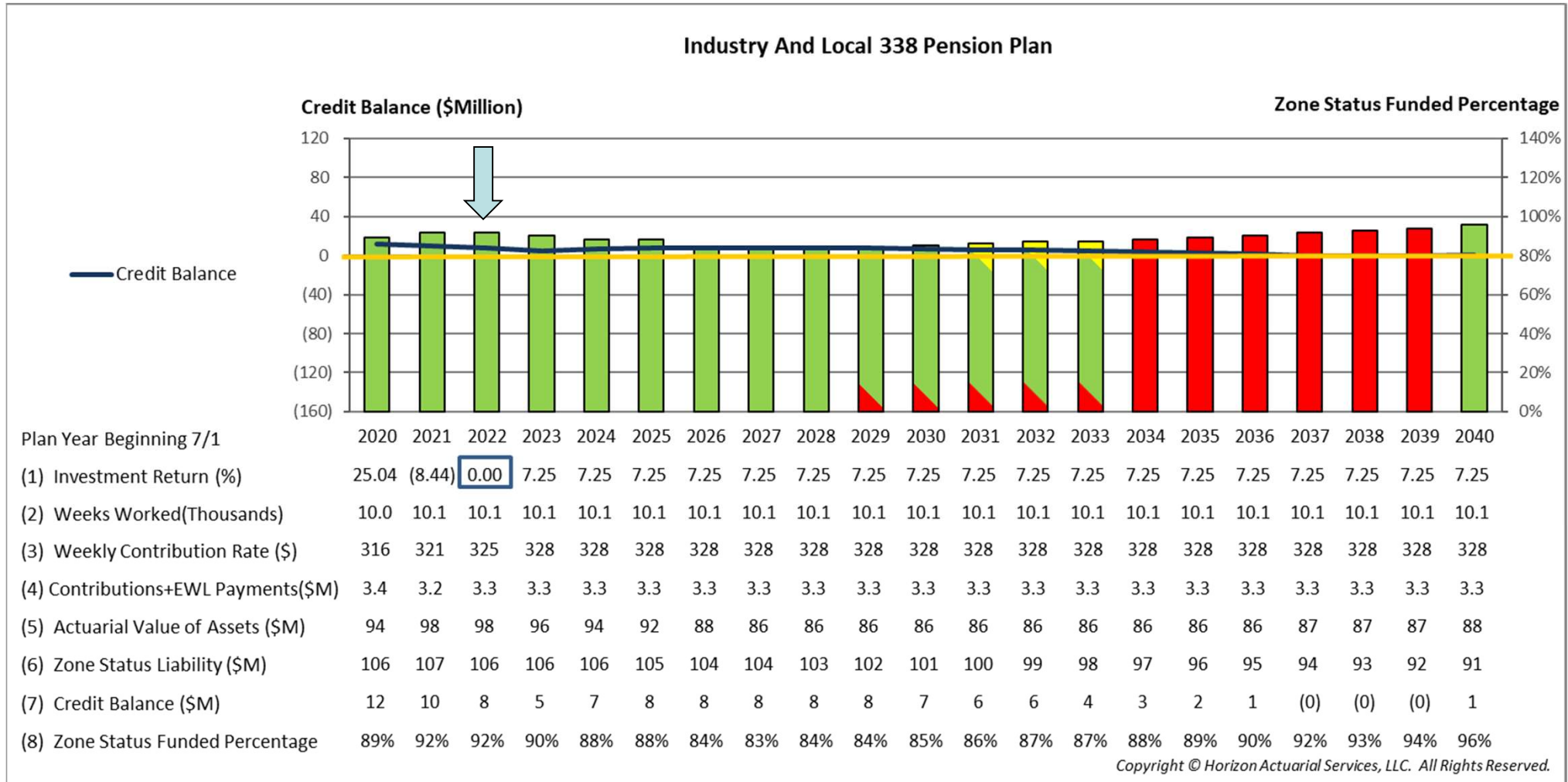
Scenario 1: Certification

7.25% Return PYB 2021+ | 10.1 Thousand Weeks Worked beginning PYB 2021



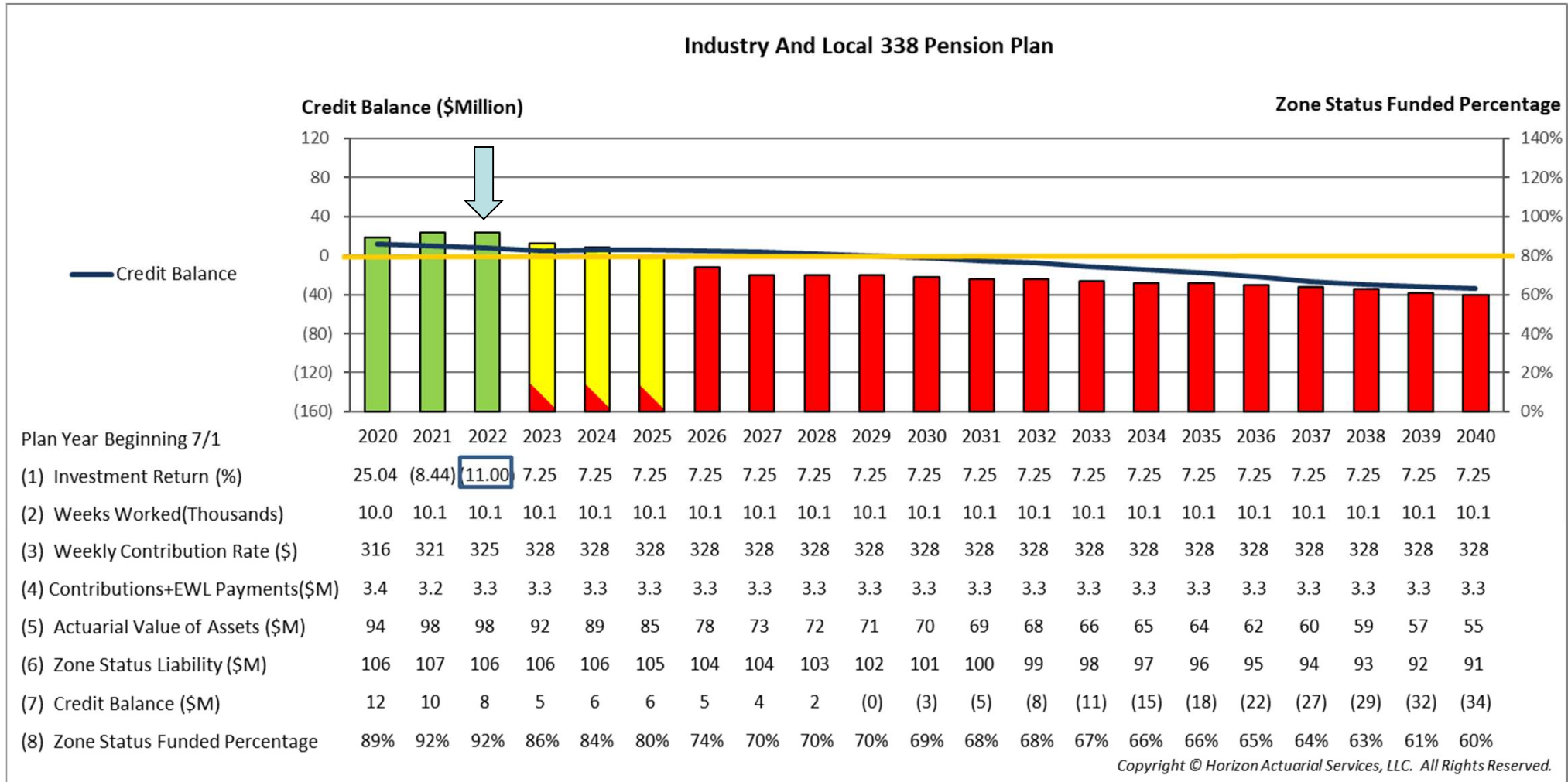
Scenario 2: Lower 2022 Return

0.00% Return PYB 2022; 7.25% Return PYB 2023+ | 10.1 Thousand Weeks Worked beginning PYB 2021



Scenario 3: Low ROA That Results in Non-Green 2023

-11.00% Return PYB 2022; 7.25% Return PYB 2023+ | 10.1 Thousand Weeks Worked beginning PYB 2022

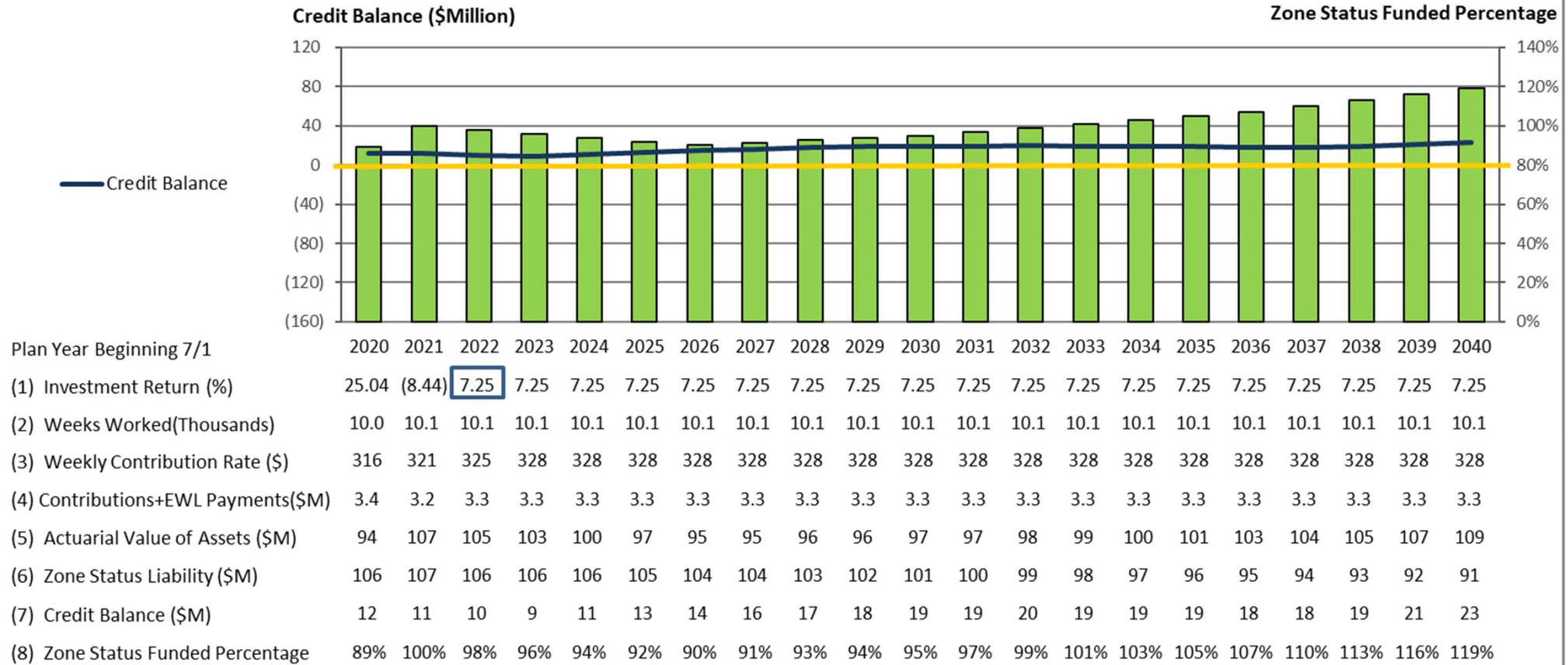


Scenario 4: Certification with AVA Reset

7.25% Return PYB 2022+ | 10.1 Thousand Weeks Worked beginning PYB 2022

AVA reset to MVA 7/1/2021

Industry And Local 338 Pension Plan



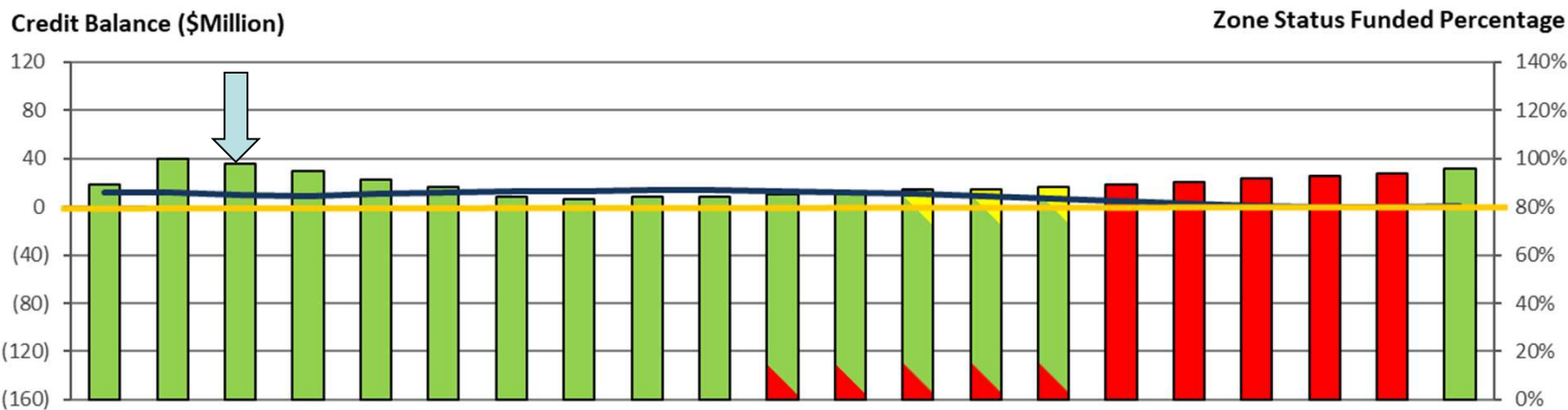
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Scenario 5: Lower 2022 Return with AVA Reset

-0.00% Return PYB 2022; 7.25% Return PYB 2023+ | 10.1 Thousand Weeks Worked beginning PYB 2022

AVA reset to MVA 7/1/2021

Industry And Local 338 Pension Plan



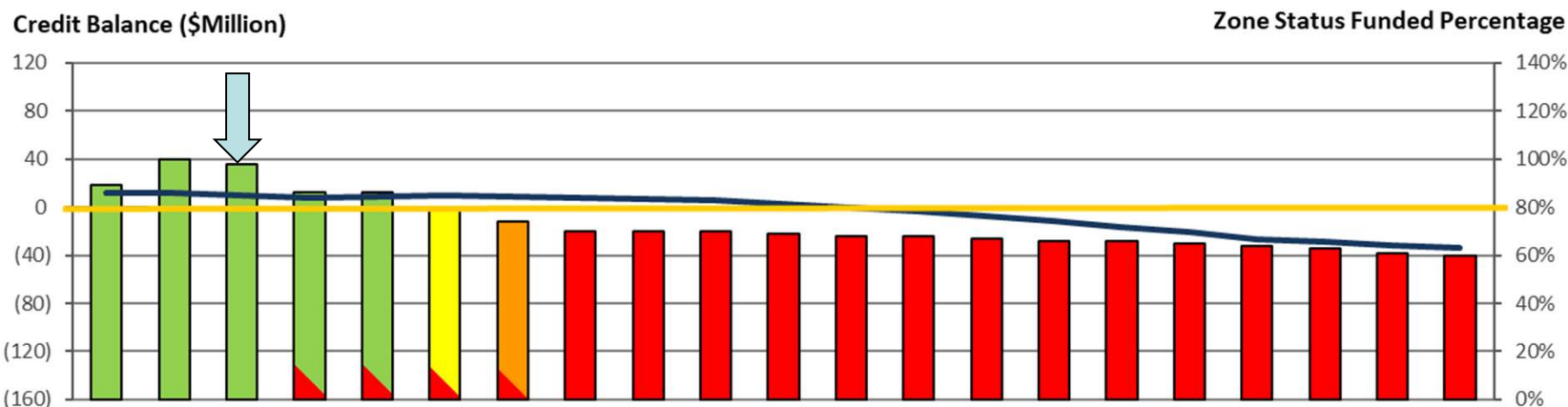
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Scenario 6: Low ROA Resulting Non-Green 2023 w/ AVA Reset

-11.00% Return PYB 2022; 7.25% Return PYB 2023+ | 10.1 Thousand Weeks Worked beginning PYB 2022

AVA reset to MVA 7/1/2021

Industry And Local 338 Pension Plan



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Forecast Observations

- **The Plan remains sensitive to both investment return and contributions**
 - The investment return for plan year ended June 30, 2022 eliminated much of the funding cushion.
 - As shown, the current economic volatility can lead to very different outcomes for the plan.
 - Resetting the AVA to MVA as of July 1, 2021 can provide more time for markets to recover before corrective action is needed.
 - Future investment returns and contribution levels (hours worked) will impact the projected funding of the Plan.
- **Long term funding improvement is compromised if investment returns are less than assumed or contribution levels fall**
 - Investment returns for the current plan year are falling short of the assumed return
 - Investment professionals are generally reporting lower expectations for investment returns, particularly in the short term
 - We continue to monitor movements in the outlook for future investment returns reported by investment professionals
- **Managing the Credit Balance**
 - The plan currently has a credit balance which is more sensitive in the short term to experience gains and losses than in the long term

Appendix

Contribution Rate Summary

Employer	Contract Expiration Date	As of 7/1/2019 Valuation		As of 7/1/2020 Valuation		As of 7/1/2021 Valuation	
		Active Count (Valn Data)	Total Wkly Contrib Rate	Active Count (Valn Data)	Total Wkly Contrib Rate	Active Count (Valn Data)	Total Wkly Contrib Rate
College of New Rochelle	8/31/2013	17	\$ 269.04	0	\$ 269.04	0	\$ 269.04
HP Hood / Crowley	10/31/2020	91	322.98	91	342.58	94	342.58
Culinart	12/31/2016	0	267.15	0	267.15	0	267.15
Freisland Campina	12/31/2021	65	242.64	62	261.33	65	281.24
LP Transport	8/15/2019	32	322.75	29	331.51	27	340.53
Montefiore New Rochelle	11/5/2020	13	270.30	13	290.21	13	290.21
Paraco Gas	1/31/2021	7	263.84	8	283.75	7	292.51
Westchester L860	9/30/2013	1	243.28	1	243.28	1	243.28
Total		226		204		207	

Notes

- 1) All contributions are benefit-bearing, effective beginning July 1, 2016.
- 2) Contribution rates shown above are as reported by Plan Administrator.
- 3) Contribution rates as of 7/1/2019 include surcharges for College of New Rochelle, Culinart, Friesland Campina, Westchester L 860

Historical Contribution Rates by Contract

Employer	Base Rate	As of Plan Year Ending									
		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
College of New Rochelle	\$ 110.44	\$ 158.00	\$ 174.00	\$ 174.00	\$ 174.00	\$ 174.00	\$ 174.00	\$ 208.95	\$ 269.04	N/A	N/A
HP Hood / Crowley	130.00	186.34	204.97	225.47	248.00	272.79	286.43	303.98	322.67	342.58	342.58
Culinart	108.44	154.98	170.48	187.53	206.28	226.91	226.91	267.15	267.15	N/A	N/A
Friesland Campina	100.12	146.57	161.23	177.35	195.09	205.09	215.09	247.60	242.64	261.33	281.24
LP Transport	160.00	192.00	208.00	228.80	251.60	276.80	290.80	322.75	322.75	331.51	340.53
Montefiore New Rochelle	120.12	175.85	193.44	212.78	234.06	234.06	234.06	251.61	270.30	290.21	311.41
Paraco Gas	124.00	156.00	172.00	188.00	206.80	227.60	227.60	245.15	263.84	283.75	292.51
Westchester L860	130.15	186.55	205.21	205.21	205.21	205.21	205.21	243.28	243.28	243.28	243.28

Notes

- 1) Effective July 1, 2016, all contributions (and future rate increases, if any) are benefit-bearing.
- 2) Contribution rates for 2018 include surcharges for College of New Rochelle, Culinart, Friesland Campina, Westchester L 860

Data, Assumptions, Methods, and Plan Provisions

- Please see our February 18, 2022 presentation

Actuarial Certification

We have prepared this actuarial report for use by the **Industry & Local 338 Pension Plan** (the “Plan”). This report has been prepared solely for the benefit of the Plan, and it is not complete without the accompanying discussion with a representative of Horizon Actuarial Services, LLC. This report should not be distributed to others not affiliated with the Plan or relied upon by any other person without prior written consent from Horizon Actuarial Services, LLC.

In preparing this report, we have relied on all the information and data provided by the Plan, including plan provisions and asset information, as being complete and accurate. We have not independently verified the accuracy or completeness of the data or information provided, but we have reviewed the data for reasonableness to the extent that we believe appropriate based on the purpose for which it has been used.

The valuation summarized in this report involves actuarial calculations that require assumptions about future events. These calculations are performed using actuarial models, the intended purpose of which is the estimation and projection of the Plan’s liabilities and assets, zone status, and other related information summarized herein. We believe that the assumptions and methods used in this report are reasonable individually and in the aggregate, and are appropriate for the purposes for which they have been used. However, other assumptions and methods could also be reasonable and could generate materially different results. We have relied on the input of experts in developing certain assumptions, such as mortality and the valuation interest rate. Because it is not possible or practical to model all aspects of a situation, we may use summary information, estimates, or simplifications of calculations to facilitate the modeling of future events. We may also exclude factors or data that are immaterial in our judgment.

We have not performed a detailed analysis of the potential effects of risk on the Plan’s future financial condition, but have included a discussion of some risks that may significantly affect the Plan. A more detailed assessment of the risks could provide the Trustees with a better understanding of the risks inherent in the Plan and may include additional scenario testing, sensitivity testing, stress testing and stochastic modeling.

Future events and actual experience will vary from any assumptions we have used, and calculations prepared with actual data will vary from estimates or summaries used for modeling purposes. Actual future results will differ from our projections. As these differences arise, contributions and/or benefits may need to be adjusted to take these changes into account.

In our opinion, any methods, assumptions, and calculations are in accordance with the applicable provisions of the Internal Revenue Code and ERISA, and the procedures followed and presentation of results conform with generally accepted actuarial principles and practices. The undersigned consultants of Horizon Actuarial Services, LLC with actuarial credentials meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein. There is no relationship between the Plan and Horizon Actuarial Services, LLC that affects our objectivity.



Mary Ann Dunleavy, ASA, EA, MAAA
Senior Consulting Actuary