

December 2003

TO: PLAN PARTICIPANTS OF THE
MICHIGAN LABORERS' ANNUITY FUND

RE: **SUMMARY OF MATERIAL MODIFICATIONS**

This is to notify you that, as described below, we have amended the Michigan Laborers' Annuity Fund (the "Plan"). This amendment is effective September 1, 2003 and applies only to those who first perform laborers' work after September 1, 2003. Specifically, we have amended the plan as follows:

- Effective September 1, 2003, only for employees who first are credited with an Hour of Work after August 31, 2003, the eligibility requirement to become a Plan Participant of the Annuity Fund will be 700 Hours of Work in 12 consecutive months. A Plan Year runs from September 1st to the following August 31st. The eligibility requirement to become a Plan Participant prior to September 1, 2003 was 200 Hours of Work in 12 consecutive months.
- Effective September 1, 2003, only for employees who first are credited with an Hour of Work after August 31, 2003, a Participant shall become vested in his or her Accrued Benefit Account balance when the Participant is credited with three (3) Years of Services before he/she suffers a Permanent Break in Service. A Year of Service is earned by working 700 or more Hours of Work in a Plan Year. A Plan Year runs from September 1, through the following August 31. Participants automatically become fully vested when they reach age 65, the Plan's Normal Retirement Age.

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- A Participant who first is credited with an Hour of Work after August 31, 2003 and who is credited with a Year of Service will lose that credit if the Participant has five consecutive One-Year Breaks in Service before becoming fully vested. (The Plan calls this a “Permanent Break in Service.”) A Participant experiences a One Year Break in Service when he or she does not work at least 501 Hours of Work in a Plan Year. A Participant who experiences a Permanent Break in Service forfeits his or her Plan Account Balance on the first day of the next Plan Year.
- If an employee becomes a Participant but either receives a distribution of his or her entire Plan benefit or experiences a Permanent Break in Service, that employee will need to re-qualify as a Plan Participant and re-vest in his or her Plan account balance before being entitled to any Plan benefits .

This notice, known as a Summary of Material Modifications (“SMM”) is an amendment to the Summary Plan Description (“SPD”) you received previously. You should keep this SMM with the SPD for future reference.

If you have any questions regarding this Plan Modification, please call the Pension/Annuity Department at the Fund Office.

Sincerely,

BOARD OF TRUSTEES
MICHIGAN LABORERS’ ANNUITY FUND

/pap

xc: Michigan Laborers’ District Council
Laborers’ Local Unions