

RE: Employee Retention Plan Changes

Beginning the week ending September 27, 2009, the 39 week tiered cycle will be replaced with a weekly ERP benefit equal to 18% of the base wage at 40 hrs/week. Any members currently in the middle of a 39 week cycle will receive retroactive payments that will make them whole under the plan. Members will receive these retroactive payments according to the guidelines set forth below:

- Any member currently in the course of a 39 week cycle who applies and qualifies for the ERP benefit for the week ending 9/27/09 will receive a check at 18% during the week of 9/28/09. This check will include his retroactive payment and his ERP benefit for week ending 9/27/09.
- Any member currently in the course of a 39 week cycle (from a prior period of layoff and are now working) who does not apply for the ERP benefit for the week ending 9/27/09 will receive a check as soon as we can go through our database and determine who is entitled to receive a retroactive payment. This may take a couple of weeks. This check will include his retroactive payment only.

Please keep in mind, members will lose one credit for each week of the six week waiting period for which they receive retroactive payments. For example, a member with 36 credits currently in the 20th week of the current payment schedule will lose six credits upon receiving his retroactive payment, bringing the number of credits in his ERP account down to 30.

If a member does not have six credits in his ERP account, his retroactive payment will be dependent upon the lesser of the number of weeks he has completed in the current cycle or the number of credits he currently has in his ERP account.