

November 1, 2010

Technical Director  
Financial Accounting Standards Board  
Norwalk, CT 06856-5116

Re: File Reference No. 1860-100  
Proposed Accounting Standards Update, “Compensation—Retirement Benefits—  
Multiemployer Plans (Subtopic 715-80): Disclosure about an Employer’s Participation in  
a Multiemployer Plan”

To Whom It May Concern:

As employer organizations representing companies who participate in both single and multiemployer defined benefit plans, we submit this letter in response to the request for comments on the Proposed Accounting Standards Update, *Compensation—Retirement Benefits—Multiemployer Plans (Subtopic 715-80): Disclosure about an Employer’s Participation in a Multiemployer Plan* (“Proposal”) as released by the Financial Accounting Standards Board (“Board”) on September 1, 2010.

We strongly urge the Board to withdraw the current Proposal for reconsideration due to the potentially negative impact of the proposal on employers who participate in multiemployer plans. In its current form, the Proposal will create undue hardships for employers that are already struggling to weather the economic recession.

We support greater transparency and disclosure; however, the minimal benefit provided by the suggested disclosures does not justify the burdens that would be placed upon employers or the potential negative financial impact that they would face. Moreover, a substantial financial burden would be placed on multiemployer plans since complying with the Proposal will waste valuable plan assets; thereby diminishing the assets available to pay benefits.

The Proposal creates a burden for employers because they will be required to ascertain and disclose information that may be disclosed in other filings or not in their control. It will also create a corresponding burden for multiemployer plans because they will be inundated with requests for information from employers. Compiling, calculating, and disclosing this information will not only be administratively burdensome but also very expensive – thereby, imposing additional stress on employers’ and plans’ resources. Moreover, this burden and expense will not contribute to a greater understanding of the financial situation of the employer or the plan as the information may be misleading as to the actual liabilities imposed by Title IV of ERISA or in conflict with other reportable information,

We must emphasize our strong objection to the disclosure of a withdrawal liability estimate as suggested by the Proposal. We view the disclosure of a withdrawal liability estimate as extremely misleading since under the statutory scheme set forth in Title IV of ERISA, it is a contingent liability that seldom matures into an actual liability. The rules regarding multiemployer plans are so complex that it would be extremely difficult to describe a withdrawal liability estimate in a way for investors to understand that it is not a true liability. Any increased

transparency gained by the disclosures would be significantly outweighed by the confusion and misapplication of the disclosed information that is likely to occur.

The most critical concern, however, is the potentially negative financial impact for employers disclosing this information. As you are aware, the information included on financial statements is used to determine the credit-worthiness of a company. Some of the disclosures – particularly those pertaining to withdrawal liability – could be misleading and negatively impact an employer’s ability to get appropriate financing either from banks or bonding agencies. In addition, even if an individual employer is not directly impacted, that employer may be indirectly impacted if other employers who participate in the plan suffer financial trouble due to the disclosure of this information.

Participation in qualified retirement plans under ERISA is voluntary. Employers that participate in multiemployer pension plans have voluntarily assumed the burden of providing a significant benefit for their workers. At a time when retirement security is becoming a considerable issue for many individuals, we should be encouraging greater participation by employers in the retirement system and not creating additional unnecessary burdens for those that are currently contributing to greater retirement security for their workers. Imposing this type of burden on multiemployer plans could well be the final death knell for multiemployer defined benefit plans which would leave millions of workers without this important benefit.

Given the burdens that would be applied and the potential for unnecessary financial distress, we strongly urge the Board to withdraw the Proposal. If the Board believes that additional disclosures are needed, it should revise the Proposal to tailor it more narrowly to achieve the intended purpose without creating the unintended consequences of the disclosure of misleading information and overly burdensome requirements. In addition, we encourage the Board to coordinate with the Department of Labor and Internal Revenue Service which have jurisdiction over the financial disclosures for ERISA covered retirement plans, including multiemployer defined benefit plans.

Thank you for your consideration of our comments.

Sincerely,

AGC-New Mexico Building Branch  
AGC of Massachusetts  
AGC of the Quad Cities  
AGC Oregon Columbia Chapter  
AGC San Diego  
Allied Construction Employers Association  
Arizona Chapter AGC  
Associated General Contractors of St. Louis (AGC of St. Louis)  
Building Contractors Association of New Jersey  
Construction Contractors Council  
Engineering & Utility Contractors Association  
Erectors & Riggers Association of Greater St. Louis

Food Marketing Institute  
Fox Valley AGC  
Indiana Mason Contractors Association, Inc.  
Inland Northwest Chapter-AGC  
International Council of Employers of Bricklayers and Allied Craftworkers (ICE)  
International Warehouse Logistics Association  
Ironworker Employers Association  
Ironworker Employers Association of Western Pennsylvania, Inc.  
Mason Contractors Association of Greater Chicago  
Mason Contractors Association of Milwaukee  
Masonry Contractors of New Jersey  
Mechanical Contractors Association of America (MCAA)  
National Association of Construction Boilermaker Employers (NACBE)  
National Association of Manufacturers  
National Association of Waterfront Employers  
National Council of Farmer Cooperatives  
National Finishing Contractors Association (FCA)  
National Electrical Contractors Association (NECA)  
National Retail Federation  
Northwest Ironworkers Employers Association Portland, OR  
Ohio Contractors Association  
Rhode Island Chapter Associated General Contractors of America  
Sheet Metal and Air Conditioning Contractors' National Association  
Society for Human Resource Management  
Southern Illinois Builders Association (AGC)  
The Associated General Contractors of America  
The Associated General Contractors of NW Ohio  
The Association of Union Constructors (TAUC)  
The Bituminous Coal Operators' Association Inc.  
The Constructors Association of Western Pennsylvania  
The Master Builders' Association of Western Pennsylvania, Inc. (MBA)  
U.S. Chamber of Commerce