

# News Release



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## **U.S. Labor Department Sues Pittsburgh Corporation and CEO To Restore Employee Contributions to 401(k) Plan**

**PITTSBURGH** -- The U.S. Department of Labor has sued Vacuum Research Corporation of Pittsburgh, Pa., and the company's chief executive officer for failing to restore employee contributions to the company's 401(k) plan.

"This action sends a strong message that the Labor Department will make sure that assets are returned to plans to provide promised benefits to American workers," said Mabel Capolongo, director of the department's Employee Benefits Security Administration's (EBSA) Philadelphia regional office, which investigated the case.

The suit, filed in the federal district court in Pittsburgh, alleges that Vacuum Research and John F. Hartnett failed to pay \$32,378 to the plan for overdue contributions owed for 1998 to 2001, in violation of the Employee Retirement Income Security Act (ERISA). The suit also alleges that the defendants failed to remit to the plan any employee contributions from 2002 to the present. At the time of the improper act, Hartnett was a plan trustee.

The suit seeks to require the defendants to restore all losses to the plan with interest and permanently bar Hartnett from serving as a fiduciary to any employee benefit plan governed by ERISA. In addition, the suit seeks to appoint an independent fiduciary to manage the plan.

Vacuum Research Corporation manufactures and distributes specialty valves, gauges and pumps. The plan had 18 participants and \$268,369 in assets as of December 2000.

In fiscal year 2003, EBSA achieved record monetary results of \$1.4 billion related to the pension, 401(k), health and other benefits of millions of American workers and their families. Employers and workers can reach EBSA's Philadelphia regional office at (215) 861-5300 or through EBSA's toll-free number, 1-866-444-EBSA (3272), for help with problems relating to private-sector retirement and health plans.

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(Chao v. Hartnett) Civil Action No. 04-535

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