

**NORTHERN CALIFORNIA TILE INDUSTRY DEFINED BENEFIT PLAN**  
**(as revised January 1, 2023)**

**THIRD AMENDMENT**

Pursuant to the powers conferred upon them by Article V, Section 5.5 of the Trust Agreement, the Board of Trustees, meeting on the 15<sup>th</sup> day of May, 2024, amended the Defined Benefit Plan as follows, to be effective immediately except as provided below, and authorized the Chairman and Secretary to authenticate the same by affixing their signatures hereto:

1. Effective February 1, 2024 amend Article IX, Section 1.a in its entirety to state as follows:

a. The benefits of any Employee on retirement after attainment of age sixty-two (62) shall be suspended during any month in which he or she was employed for forty hours or more in Industry Service in the Tile Industry anywhere in the State of California, whether as an employee or in a managerial, supervisory, proprietary or any other capacity for a participating or non-participating employer or as a self-employed person, unless the Employee began receiving benefits after age 70½ under the provisions of the Plan and is continuing to work for an Individual Employer of this Plan, or except as provided in subsections d., e., f., g., and h., below. Effective January 1, 2020, the benefits of any Employee on retirement after attainment of age sixty-two (62) shall be suspended during any month in which he or she was employed for forty hours or more in Industry Service in the Tile Industry anywhere in the State of California, whether as an employee or in a managerial, supervisory, proprietary or any other capacity for a participating or non-participating employer or as a self-employed person, unless the Employee began receiving benefits after age 72 under the provisions of the Plan and is continuing to work for an Individual Employer of this Plan, or except as provided in subsections d., e., f., g., and h., below. Effective January 1, 2023, the benefits of any Employee who attained age 72 after December 31, 2022 and is on retirement after attainment of age sixty-two (62) shall be suspended during any month in which he or she was employed for forty hours or more in Industry Service in the Tile Industry anywhere in the State of California, whether as an employee or in a managerial, supervisory, proprietary or any other capacity for a participating or non-participating employer or as a self-employed person, unless the Employee began receiving benefits after age 73 under the provisions of the Plan and is continuing to work for an Individual Employer of this Plan, or except as provided in subsections d., e., f., g., and h., below.

2. Effective February 1, 2024 amend Article IX, Section 1, to add a new subsection h to state as follows:

h. The provisions of this Section 1 shall not apply to an Employee who is receiving benefits from the Plan and is performing Terrazzo work pursuant to the Terrazzo and Mosaic Association CBA, for an Employer signatory to that CBA. An Employee must complete any form as required by the Plan providing information regarding the job and to be approved by the employer.

3. Effective February 1, 2024 amend Article IX, Section 2.a in its entirety to state as follows:

a. Except as provided in subsections b., c., d., e., f., and g., below, the benefits of any Employee on retirement prior to attainment of age sixty-two (62) who accepts any employment in Industry Service in the Tile Industry, whether within or outside the state of California, shall be suspended and shall not again be resumed until the Employee is again retired after attainment of age sixty-two (62). At that time, the benefits then payable to him or her shall be his or her full normal pension benefits or the Actuarial Equivalent thereof. Payment of any post-retirement benefit earned during a return to work prior to Normal Retirement Age shall commence as of the Annuity Commencement Date, as defined in Article I, Section 4.d, after receipt by the Administration Office of the required application and election form. If the Employee attained Normal Retirement Age prior to the Annuity Commencement Date, as defined in Article I, Section 4.d, such benefits shall be actuarially adjusted for the period from the later of 1) the date of termination of employment or 2) Normal Retirement Age to the Annuity Commencement Date, as defined in Article I, Section 4.d.

4. Effective February 1, 2024 amend Article IX, Section 2, to add a new subsection g to state as follows:

g. The provisions of this Section 2 shall not apply to an Employee who is receiving benefits from the Plan and is performing Terrazzo work pursuant to the Terrazzo and Mosaic Association CBA, for an Employer signatory to that CBA. An Employee must complete any form as required by the Plan providing information regarding the job and to be approved by the employer.

IN WITNESS of the adoption of this Amendment, the Chairman and Secretary hereby subscribe their names, on the dates indicated.

Rich Romany  
Chairman

Date: 5/15/24

N. J. Cull  
Secretary

Date: 5/15/24