

**ELEVENTH AMENDMENT  
TO THE  
BUILDING TRADES PENSION FUND  
OF WESTERN PENNSYLVANIA  
(As Amended and Restated January 1, 2014)**

**WHEREAS**, the Board of Trustees has the right to amend the Building Trades Pension Fund of Western Pennsylvania, as amended and restated January 1, 2014 (the "Plan"); and

**WHEREAS**, the Board of Trustees at its August 14, 2020 meeting approved an amendment to reflect the arrears payment of monthly pensions and benefits.

**NOW, THEREFORE**, the Board of Trustees hereby amends the Plan, effective September 1, 2020, as follows.

1. Section 1.17 is amended to read as follows:

1.17 **Normal Retirement Date** shall mean the last day of the calendar month following the calendar month in which a Participant attains Normal Retirement Age.

2. Section 4.04(c) is amended to read as follows:

(c) If his Annuity Starting Date is prior to the last day of the calendar month following the calendar month in which the Participant would attain age 63, the Early Retirement Pension shall be equal to his basic Pension calculated under Section 4.01 reduced by 1/2 of one percent for each month by which his Annuity Starting Date precedes the last day of the calendar month following the calendar month in which the Participant would attain age 63.

3. Section 5.01(c) is amended to read as follows:

(c) Except as otherwise specifically provided for in the Plan, the Pension payable for a calendar month shall be paid monthly as of the last day of each calendar month at the time and in the manner provided in this Article.

4. Section 5.01(d) is amended to read as follows:

(d) The last payment of a Pension payable for life shall be made on the last day of the calendar month in which the Participant's (or if applicable, a surviving Spouse's death) death occurs.

5. Section 5.02 is amended to read as follows:

**5.02 Time of Payment**

(a) The Normal Retirement Pension shall be payable to a Participant as of the last day of the calendar month following the calendar month in which he applies for such Pension, regardless of whether he has retired; provided that he is eligible for such Pension and his application therefor is approved.

- (b) The Early Retirement Pension shall be payable to a Participant as of the last day of the calendar month following the later of (i) the calendar month in which he retires or (ii) the calendar month in which he applies for such Pension; provided that he is eligible for such Pension and his application therefor is approved.
- (c) A Deferred Vested Pension shall be payable as follows:
  - (1) If the Participant has been credited with at least 10 Years of Credited Employment, the Deferred Vested Pension shall be payable to the Participant as of the last day of the calendar month following the latest of (i) the calendar month in which he attains age 60, (ii) the calendar month in which he applies for such Pension, or (iii) the calendar month in which he has retired and his employment with the Employers terminates; provided that he is eligible for such Pension and his application therefor is approved.
  - (2) If the Participant has been credited with less than 10 Years of Credited Employment, the Deferred Vested Pension shall be payable to the Participant as of the last day of the calendar month following the latest of (i) the calendar month in which he attains Normal Retirement Age, (ii) the calendar month in which he applies for such Pension, or (iii) the calendar month in which he has retired and his employment with the Employers terminates; provided that he is eligible for such Pension and his application therefor is approved.
  - (3) This subsection shall apply to a Participant whose Covered Employment terminated before July 1, 2014 (in place of the terms of the Plan in effect at such termination), unless the Participant is receiving a Deferred Vested (or other) Pension under the terms of the Plan previously in effect (because payment began by June 1, 2014 or because application for payment was made by June 30, 2014 and the application was approved).
- (d) Notwithstanding the foregoing subsections of this Section, a Pension shall not be payable any earlier than 30 days after, nor later than 180 days after, the date the Participant is provided with the required information on the payment of a Pension; provided, however, the Pension shall be payable within the 30-day period following the date the Participant is provided with said information if the Participant then applies for the payment of benefits and the actual payment is not made within the 7-day period that begins after the date the Participant is provided with said information.

6. Section 5.06(b)(7) is amended to read as follows:

- (7) The Participant must notify the Board of Trustees of the termination of his Covered Employment. The Participant's Pension shall payable as of the last day of the calendar month following the later of (i) the calendar month in which his

Covered Employment terminates or (ii) the calendar month in which he notifies the Board of Trustees that his Covered Employment has terminated.

7. Section 5.06(c)(6) is amended to read as follows:

- (6) The Participant must notify the Board of Trustees of the termination of his disqualifying employment. The Participant's Pension shall be payable as of the last day of the calendar month following the later of (i) the month in which his disqualifying employment terminates or (ii) the calendar month in which he notifies the Board of Trustees that his disqualifying employment has terminated.

8. Section 6.03(b) is amended to read as follows:

- (b) The Disability Benefit shall be payable to an eligible Participant beginning with the later of (i) the last day of the calendar month following the calendar month of the commencement of his Total Disability or (ii) the last day of the first calendar month of his entitlement to (payment of) Social Security disability benefits; provided, however, if a Participant applies for payment of the Disability Benefit more than six months after the later of the date of the determination of his Total Disability by his physician or the date of his Social Security disability benefits award, a retroactive payment of the Disability Benefit shall be limited to six monthly payments.

9. Section 6.06(a)(3) is amended to read as follows:

- (3) The Special Disability Benefit shall be payable to an eligible Participant as of the last day of the calendar month following the calendar month in which he applies for the Special Disability Benefit, provided his application therefor is approved.

10. Section 7.02(c) is amended to read as follows:

- (c) The qualified preretirement survivor annuity shall be payable to an eligible Spouse:
  - (1) in the case of a Participant who dies after the earliest date payment of his Pension could have commenced, as of the last day of the calendar month following the later of (i) the calendar month of the Participant's death or (ii) the calendar month in which the spouse applies for the qualified preretirement survivor annuity; and
  - (2) in the case of a Participant who dies before the earliest date payment of his Pension could have commenced, as of the later of (i) the date (i.e., the last day of the calendar month) on which the Participant's Pension could have first commenced had he survived or (ii) the last day of the calendar month following the month in which the spouse applies for the qualified preretirement survivor annuity.

IN WITNESS WHEREOF, this Amendment has been duly executed on this 13<sup>th</sup> day of November 2020.

Union Trustee

Employer Trustee

By: Norman Singer

By: [Signature]