

**TWELTH 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 and as amended by the First through Eleventh Amendments thereto (the "Plan"); and

**WHEREAS**, the Board of Trustees desires to amend the Plan to revise the early retirement pension eligibility requirements and the deferred vested pension provisions.

**NOW, THEREFORE**, the Board of Trustees hereby amends the Plan, effective January 1, 2022, as follows:

1. Section 4.04 shall be amended to read as follows:

**4.04 Early Retirement Pension**

(a) A Participant shall be eligible for an Early Retirement Pension if:

- (1) his employment with all Employers terminates before his attainment of Normal Retirement Age and on or after the date on which he attains at least age 60 and is credited with at least 10 Years of Credited Employment;
- (2) at least 1,500 hours of Employer Contributions were made or due on his behalf for the 60 calendar months preceding said termination of employment; and
- (3) effective January 1, 2022, if he has incurred three consecutive one-year breaks in service after Employer Contributions were last made on his behalf, he is credited with at least three Years of Credited Employment after said one-year breaks in service.

(b) If his Annuity Starting Date is on or after the date he attains age 63, an eligible Participant's Early Retirement Pension under this Section shall be equal to his basic Pension calculated under Section 4.01.

(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.

(d) If a Participant is described in Section 6.04 as a Participant who may qualify for a Disability Benefit because participation in the Plan ceased because of work with a prescribed governmental unit, and if such Participant would satisfy the eligibility requirements for an Early Retirement

Pension under subsection (a) of this Section at the termination of employment with the governmental unit, he shall be eligible to receive an Early Retirement Pension under the provisions of this Section based on his basic Pension when his participation in the Plan ceased. For this purpose, such Participant shall be credited with .25 Year of Credited Employment for each full or partial calendar quarter of his employment with the governmental unit, and he shall be treated as if 40 hours of Employer Contributions were made on his behalf during each calendar week of his employment with the governmental unit.

- (e) If a Participant ceases participation in the Plan before becoming eligible for an Early Retirement Pension under subsection (a) of this Section, but is employed within the geographical area covered by the Plan in employment covered by a collective bargaining agreement with a (contributing) Union and is a participant in a local pension plan as defined in said collective bargaining agreement, and if such Participant would satisfy the eligibility requirements for an Early Retirement Pension under subsection (a) of this Section at the termination of said employment, he shall be eligible to receive an Early Retirement Pension under the provisions of this Section based on his basic Pension when his participation in the Plan ceased. For this purpose, such Participant shall be credited with .25 Year of Credited Employment for each full or partial calendar quarter he is employed in said employment, and he shall be treated as if 40 hours of Employer Contributions were made on his behalf during each calendar week of his employment in said employment.
- (f) If a Participant ceases participation in the Plan before becoming eligible for an Early Retirement Pension under subsection (a) of this Section, but is employed in employment with an Employer that is not Credited Employment, and if such Participant would satisfy the eligibility requirements for an Early Retirement Pension under subsection (a) of this Section at the termination of said employment, he shall be eligible to receive an Early Retirement Pension under the provisions of this Section based on his basic Pension when his participation in the Plan ceased. For this purpose, such Participant shall be credited with .25 Year of Credited Employment for each full or partial calendar quarter he is employed in said employment, and he shall be treated as if 40 hours of Employer Contributions were made on his behalf during each calendar week of his employment in said employment.
- (g) Other than Section 4.04(a)(3), this Section 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 an Early Retirement (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). Section 4.04(a)(3) shall apply to a Participant whose Covered Employment terminated before January 1, 2022 (in place of the terms of the Plan in effect at such termination), unless the Participant is receiving an Early Retirement (or other) Pension under the terms of the Plan previously in effect (because payment began by

January 1, 2022 or because application for payment was made by December 30, 2021 and the application was approved for a January 2022 payment.

2. Subsection (f) is added to Section 4.05 to read as follows and current subsection (f) of Section 4.05 is re-lettered subsection (g):

(f) If a Participant ceases participation in the Plan before becoming eligible for a Deferred Vested under subsection (b) of this Section, but is employed in employment with an Employer that is not Credited Employment, and if such Participant would satisfy the eligibility requirements for a Deferred Vested Pension under subsection (b) of this Section at the termination of said employment, he shall be eligible to receive a Deferred Vested Pension under the provisions of this Section based on his basic Pension when his participation in the Plan ceased. For this purpose, such Participant shall be credited with .25 Year of Credited Employment for each full or partial calendar quarter he is employed in said employment. This Section shall not apply, however, if the Participant is eligible for an Early Retirement Pension at the termination of said employment.

IN WITNESS WHEREOF, this Amendment has been duly executed on this 11<sup>th</sup> day of November 2021.

Union Trustee

Employer Trustee

By: \_\_\_\_\_

By: \_\_\_\_\_