

**Amendment to The Three Rivers Annuity Fund
(As Amended and Restated)
(Working Retiree)**

WHEREAS, the Board of Trustees (the "Trustees") have the right to amend the Annuity Plan, as amended and restated (the "Plan"); and

WHEREAS, the Trustees recognize the difficulty in maintaining adequate manpower to service contributing employer labor needs, (due to unforeseen labor needs, related to the pandemic, etc.) and shall provide for in-service distributions to active working participants and for reemployment of retirees age 59 ½, or older, without the suspension of benefits as set forth below.

WHEREFORE, Article V and VI of the Plan is amended to provide In-Service Distributions, Retiree Return to Work, and Continuation of Non-Bargaining Unit Employment as follows:

- I. **In-Service Distributions:** Active participants age 59 ½, or older, may apply for In-Service Distributions, provided such active participant has:
 - (a) 10 years or more of service credit;
 - (b) has reached age 59 1/2 years or older; and
 - (c) the participant must continue to be employed by a signatory employer.

The Board has the sole discretion to make determinations and reserves the right to amend or discontinue In-Service Distributions.

- II. **Return to Work during Peak Employment Periods:** Retirement benefit distributions, except disability retirement benefit distributions, for Retirees age 59 ½ or older, shall not be suspended during work months of periods of high employment determined under standards uniformly applied by the Board of Trustees. The Board of Trustees shall determine, as early in the year as possible, whether work projections justify a period of high employment. If the Board determines that manpower needs will require use of such Retirees for periods during the year, then the Board may set forth the Months during the year that such Retirees may return to work without a suspension of benefits. The Board has the sole discretion to make such determinations and reserves the right to extend or shorten the period during the year. Further, periodic or monthly distributions shall not be suspended for any calendar month of the calendar year following the calendar year in which the Retiree attains age seventy-two (72).

III. Continuation of Non-Bargaining Unit Employment: Retirement benefits, except disability retirement benefits, shall not be suspended for participants that continue to work, within the construction Industry under subsections (C) and (D) in management/non-bargaining unit positions for signatory employers provided the following requirements are met:

- (a) The participant has 10 years or more of service credit;
- (b) The participant has reached age 59 1/2 years or older;
- (c) The retiree cannot work with the tools of the trade unless provided under another section of the Plan,
- (d) The retiree must continue to be employed by a signatory employer.
- (e) Contributions cease to all funds on behalf of the Non-Bargaining Unit Employee as of retirement.

In all other respects, the provisions of the Plan are hereby ratified and confirmed, and they shall continue in full force and effect. To maintain the terms of the Plan in a single document, this Amendment may be incorporated into the most recent restatement of the Plan and the Table of Contents and any section numbers and section references or cross-references may be corrected and/or updated at any time.

Effective 6/01/2022.

Approved by the Trustee and

EXECUTED THIS 3rd th Day of November, 2022.

UNION/EMPLOYEE TRUSTEES

Norman Thomas
William J. M.
Glean L. Smyer Jr.

EMPLOYER TRUSTEES

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