

**SECOND SUMMARY DESCRIPTION OF MATERIAL MODIFICATION OF  
SHEET METAL WORKERS' LOCAL 33  
PROFIT SHARING ANNUITY PLAN**

**APRIL 2020**

**I. INTRODUCTION**

This document is designed to describe modifications to the Sheet Metal Workers' Local 33 Profit Sharing Annuity Plan (hereinafter "Plan"). This document should be read in conjunction with the Summary Plan Description (hereinafter "SPD") which was provided to you previously in January 2019. Information contained in this Summary Description of Material Modification (hereinafter "Summary Description") supersedes what is contained in the SPD. However, this Summary Description changes only the provisions to which it specifically refers and no other provisions in the SPD have been materially modified.

**II. CORONAVIRUS-RELATED DISTRIBUTIONS**

From now until September 1, 2020, you will be eligible for a distribution from your account if you certify that you are impacted by the coronavirus as described in further detail below. The purpose of this distribution is to lessen the economic impact to you personally as a result of the virus. Note that to avoid paying income tax on this distribution, you must pay the distribution back within three years. The Trustees were not required, but chose to enact this amendment.

Accordingly, the Trustees have amended the SPD by adding Section E to Article IX to read as follows:

**E. May I Take A Distribution if I've Been Affected By the Coronavirus?**

From April 10, 2020 until September 1, 2020, you may receive a distribution from your account of \$30,000 or 90% of your account balance, whichever is less. To be eligible for this distribution you must:

- (1) be diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention;
- (2) have a spouse or dependent (a dependent is someone you have legally claimed on as a dependent on your income taxes) who is diagnosed with such virus or disease by such a test; or
- (3) you face adverse financial consequences as a result of being quarantined, being furloughed or laid off or having work hours reduced due to such virus or disease, being unable to work due to lack of child care due to such virus or disease, closing or reducing hours of a business owned or operated by you due to such virus or disease, or other factors as determined by the Secretary of the Treasury (or the Secretary's delegate).

You must certify that you meet one of the three criteria on a form provided by the fund office to be eligible for this distribution and will be required to provide additional information if

necessary. Under the CARES Act, the IRS will not charge the 10% excise tax for early withdrawals if you take this distribution. However, this distribution will be taxed as ordinary income. Under the CARES Act, you will be able to pay taxes on the Coronavirus Related Distribution income you receive over the next three years. Moreover, you may repay the amounts you received from this distribution over the three year period beginning on the day after the date the distribution was received, and avoid taxes on the repaid amount. Coronavirus Related Distributions expire September 1, 2020 and must be distributed before that date.

### **III. NO REQUIRED MINIMUM DISTRIBUTIONS UNTIL DECEMBER 31, 2020**

When a Participant reaches a certain age, if he or she is yet to begin receiving benefits from their account, they are required to do so under federal law. These are called Required Minimum Distributions. However, under the CARES Act, the Plan is no longer required to make these payments until December 31, 2020. Therefore, you may stop receiving payments required in the calendar year 2020, if you so choose. You should contact the fund office if you want to stop receiving these payments.

Accordingly, the Trustees have amended the SPD by adding the following sentence to the end of Section B, Article V, to read as follows:

Some Participants who receive benefits are required to do so because they reached a certain age and they did not elect to receive benefits at retirement. However, you are no longer required to receive these payments from January 1, 2020 through December 31, 2020. You may stop receiving your required minimum payments if you so choose by contacting the fund office.

### **IV. CONCLUSION**

As stated in the Introduction, this Summary Description should be read in conjunction with the SPD. Information contained in this Summary Description supersedes what is contained in the SPD. However, this Summary Description changes only the provisions to which it specifically refers and no other provisions in the SPD have been materially modified.

The Board of Trustees