

EIGHTH RESTATED LOCAL NO. 104 SUPPLEMENTAL PENSION PLAN
(As amended and restated January 2021)

Amendment 8

Pursuant to the authority set forth in Section 8.1 of the Plan, the Trustees hereby amend the Plan as follows effective January 1, 2023:

1. Section 5.6 is revised to read as follows:

5.6 Preretirement Death Benefits. If a vested Participant dies before retirement, the Participant's surviving lawful spouse or registered domestic partner is entitled to a Preretirement Survivor Annuity. The Annuity is limited to the survivor benefit that can be provided by the Participant's Individual Account balance. The Plan may purchase an annuity for the life of the surviving spouse from an insurance company or other entity.

The surviving lawful spouse or registered domestic partner may waive the Preretirement Survivor Annuity and, like the Beneficiary of an unmarried Participant, select any other distribution option then provided by the Plan, subject to the requirements of Section 5.10 below and applicable Internal Revenue Code requirements.

If the Participant dies before his or her required beginning date, payment of the account balance to an "eligible designated beneficiary" (as defined under Section 10.13 of the Plan) shall be completed within the life expectancy of the eligible designated beneficiary or within a "ten (10) year period" (as defined under Section 10.14 of the Plan) after the Participant's death pursuant to Section 401(a)(9)(B)(iii) and Section 401(a)(9)(H)(ii). If the Participant dies before his or her required beginning date, and the eligible designated beneficiary is the surviving spouse, then payment of the account balance shall be completed during a period certain not extending beyond the life expectancy of the spouse and commencing no later than the end of the calendar year following the year in which the Employee would have attained age seventy-two (72). Effective January 1, 2023, benefits to the spouse shall commence no later than the end of the calendar year following the year in which the Employee would have attained age seventy-three (73).

If the Participant dies on or after his or her required beginning date, payment of the account balance to an "eligible designated beneficiary" (as defined under Section 10.13 of the Plan) shall be completed within the life expectancy of the eligible designated beneficiary or as permitted by law, pursuant to Section 401(a)(9)(B)(iii) and Section 401(a)(9)(H)(ii).

If there is a designated beneficiary other than an "eligible designated beneficiary" (as defined under Section 10.13 of the Plan), then payment of the account balance to such any other designated beneficiary shall be completed within a "ten (10) year period" (as defined under Section 10.14 of the Plan) after the Participant's death pursuant to Section 401(a)(9)(B)(ii) and Section 401(a)(9)(H)(i).

Payment of the account balance to certain trusts for disabled or chronically ill beneficiaries shall be completed pursuant to Section 401(a)(9)(H)(iv). Payment of the account balance to applicable multi-beneficiary trust shall be completed pursuant to Section 401(a)(9)(H)(v). Payment of the account balance pursuant to a qualified annuity as defined under Section 401(b)(4) of the SECURE Act which is a binding annuity contract in effect after December 20, 2019, shall be completed pursuant to Section 401(a) of the SECURE Act. Payment of the account balance to any other person or entity shall be completed within five (5) years after the Employee's death.

If a Participant dies while performing qualified military service (as defined in Section 414(u) of the Code) on or after January 1, 2007, the survivors of the Participant are entitled to any additional benefits (other than benefit accruals relating the period of qualified military service) provided under the Plan had the Participant resumed employment and then terminated employment on account of death.

2. Section 5.9(a) is revised to read as follows:

(a) Effective January 1, 1997, benefit payments to Participants who are not 5% owners shall commence no later than April 1 following the calendar year in which the Employee retires. Benefit payments to Participants who are 5% owners shall commence no later than April 1 of the calendar year in which the Participant attains age seventy and one-half (70 1/2). Any Participant may apply for a distribution upon attainment of age seventy and one-half (70 1/2), whether or not the Participant has retired or terminated employment. Failure to submit an application upon attainment of normal retirement age or otherwise becoming eligible for a distribution will be deemed an election to defer the receipt of benefits until attainment of age seventy and one-half (70 1/2). Effective January 1, 2020, the above rule shall apply when the Participant attains age 72. Effective January 1, 2023, the above rule shall apply when the Participant attains age seventy-three (73).

3. Section 5.10(b) is revised to read as follows:

(b) The Eligible Designated Beneficiary is the Participant's surviving spouse, in which case distribution of the benefit shall commence no later than the date on which the Participant would have attained age seventy and one half (70 1/2). Effective January 1, 2020, the above rule shall apply when the Participant would have attained age seventy-two (72). Effective January 1, 2023, the above rule shall apply when the Participant would have attained age seventy-three (73); or

4. Section 10.6(a) is revised to read as follows:

(a) If the Participant's surviving spouse is the Participant's Eligible Designated Beneficiary as defined in Section 10.13, then distributions to the surviving spouse shall be completed within the life expectancy of the spouse and will begin by December 31st of the calendar year immediately following the calendar year in which the Participant died, or by December 31st of the calendar year in which the Participant would have attained age seventy-two (72), if later. Effective January 1, 2023, distributions shall begin by December 31st of the calendar year in which the Participant would have attained age seventy-three (73), if later.

This Amendment 8 was adopted by the Board of Trustees on March 12, 2024. The Chairman and Co-Chairman were authorized by the Board of Trustees to execute this Amendment on their behalf. This Amendment 8 may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same Amendment 8.

Rick Werner

Chairman

Date: 3/13/2024 | 4:03 PM EDT

Sean O'Donoghue

Co-Chairman

Date: 3/17/2024 | 8:28 AM PDT