

**U.A. Local No. 393 Supplemental Unemployment Plan
Formal Plan Rules
(As revised November 1, 2019)**

AMENDMENT 2

Pursuant to the authority set forth in Section 7 of the U.A. Local No. 393 Supplemental Unemployment Plan Formal Plan Rules, the Trustees hereby amend the Plan as follows effective for claims occurring on or after March 16, 2020:

1. Section 3(a)(1)(B) is restated in its entirety to read as follows:

(B) You must satisfy the following requirements:

- (i) You must have been laid off from your last employment, and provide written verification thereof from your employer;
- (ii) You must have applied for California State Unemployment Insurance benefits ("UI") in accordance with 3(a)(1)(A) above, and have been denied solely on the grounds of having insufficient earnings in your UI base contribution period, and you provide a copy of such the denial of your UI claim; and
- (iii) You must provide written verification from U. A. Local No. 393 that you are available for employment in the Plumbing and Pipefitting Industry.

Notwithstanding the above, while the California Executive Order N-25-20 remains in effect or until such earlier or later time that the Co-chair and Chair of the Plan determine the emergency caused by COVID-19 to have ceased:

You will be deemed to satisfy Section 3(a)(1)(B)(i) and (iii) if you demonstrate to the satisfaction of the Trustees that you were unable to engage in employment because:

You are under quarantine (including self-imposed quarantine), at the instruction of a health care provider, employer, or a local, State, or Federal official, in order to prevent the spread of COVID-19; or

You are engaged in caregiving for your child who is not ill because of the COVID-19-related closing of a school or other care facility or care program

2. Section 3(a)(2) is restated in its entirety to read as follows:

(2) Unemployment and Continuous Availability for Employment: You must be both:

(A) Unemployed for reasons other than expulsion or termination from the U.A. Local No. 393 Joint Apprenticeship Training Fund due to insubordination, bad behavior, misconduct, delinquency, or otherwise pursuant to the Board of Trustees' sole and absolute discretion; and

(B) Registered on U.A. Local 393's Building Trades Joint Hiring Hall A, B, or apprentice out-of-work list continuously since your last employment for which contributions were made to this Plan.

Notwithstanding the above, while the California Executive Order N-25-20 remains in effect or until such earlier or later time that the Co-chair and Chair of the Plan determine the emergency caused by COVID-19 to have ceased, You will be deemed to satisfy Section 3(a)(2) (A) and (B) if you demonstrate to the satisfaction of the Trustees that you were unable to engage in employment because:

You are under quarantine (including self-imposed quarantine), at the instruction of a health care provider, employer, or a local, State, or Federal official, in order to prevent the spread of COVID-19; or

You are engaged in caregiving for your child who is not ill because of the COVID-19-related closing of a school or other care facility or care program

3. Section 3(b) is restated in its entirety as follows:

Notwithstanding subsection (a), no benefits will be paid under the following circumstances:

- (1) You will not receive SUB benefits during the one-week waiting period for UI or if you qualify for under Rule 3(a)(1)(B) for the first week after the termination of your last employment (your “sub waiting period”)
- (2) You are not eligible for SUB benefits if you receiving Social Security, Worker’s Compensation, State Disability Insurance, disability or family leave benefits of any kind from the U.A. Local 393 Health and Welfare Fund or pension benefits of any kind from the U.A. Local 393 Pension Trust Fund
- (3) You will not be eligible for partial weeks of unemployment.

Notwithstanding the above, while the California Executive Order N-25-20 remains in effect or until such earlier or later time that the Co-chair and Chair of the Plan determine the emergency caused by COVID-19 to have ceased:

- (1) the “sub waiting period” will be waived if You have had Your one-week waiting period under Unemployment Insurance Code Section 1253(d) waived pursuant to Executive Order N-25-20; and
- (2) Section 3(b)(3) shall not be effective.

Executed on _____, 2020 at San Jose, California.

EMPLOYER TRUSTEES

UNION TRUSTEES
