

U.A. LOCAL NO. 393 DEFINED CONTRIBUTION PLAN
(As Amended and Restated Effective November 1, 2021)

AMENDMENT 7

Pursuant to the powers conferred upon them under Article 4.4.06 of the U.A. Local No. 393 Pension Trust Fund Trust Agreement, the Board of Trustees amended the U.A. Local No. 393 Defined Contribution Plan (As Amended and Restated Effective November 1, 2021) as follows:

1. Effective July 1, 2024, amend Part 1, Article 7 Section 1(d)(iii) in its entirety to state as follows:

(iii) Self-Certifying Hardship Distributions on or after January 1, 2023.

Effective January 1, 2023, an Employee making an application for distribution on account of hardship may provide a written certification attesting to the existence of an immediate and heavy financial need as defined under this Article 7; that the amount requested does not exceed the amount required to relieve the immediate and heavy financial need, including any amounts necessary to pay any taxes resulting from the distribution; and that the Employee has no alternative means reasonably available to satisfy the immediate and heavy financial need.

If an Employee submits such a written self-certification, then the distribution shall be referred to the Chairman and Co-Chairman of the Board of Trustees for approval. The Chairman and Co-Chairman may rely on the written self-certification unless the Administration Office, Chairman or Co-Chairman have actual knowledge to the contrary. If the Employee does not submit a request for self-certification or if the Chairmen deny the request for self-certification, or the Employee is otherwise ineligible for self-certification, then to receive a distribution on the grounds of hardship the Employee must adequately substantiate (1) the existence of an immediate and heavy financial need as defined under this Article 7; (2) that the amount requested does not exceed the amount required to relieve the immediate and heavy financial need including any amounts necessary to pay any taxes resulting from the distribution and (3) that the Employee has no alternative means reasonably available to satisfy the immediate and heavy financial need.

Effective July 1, 2024, an Employee is limited to one self-certified hardship distribution per lifetime and the self-certified hardship distribution amount is limited to the lesser of (1) the amount necessary to satisfy the immediate and heavy financial need, including the amounts necessary to pay any taxes resulting from the distribution, or (2) 50% of the Employee's account balance available for hardship distribution, or (3) \$50,000.

2. Effective January 1, 2025, amend the second paragraph of Part I, Article 3, Section 2 in its entirety to state as follows:

Participant who has attained age fifty (50) before the close of the taxable year shall be eligible to make catch-up contributions in accordance with, and subject to the limitations of, Section 414(v)

of the Code. The catch-up contribution limit will be adjusted by the Secretary of the Treasury for cost-of-living increases under Section 414(v)(2)(C) of the Code. Notwithstanding the foregoing, pursuant to Section 109 of the SECURE Act 2.0, the maximum catch-up contribution for Participants who attain age 60 but would not attain age 64 before the close of the taxable year will be the greater of (a) \$10,000 or (b) an amount equal to 150% of the standard catch-up contribution limit for that year, as adjusted under Section 414(v)(2)(C) of the Code. For all other Participants eligible for catch-up contributions, including those who do not attain at least age 60 during the taxable year, or who will attain age 64 or older in the taxable year, the standard catch-up contribution limit under Section 414(v)(2)(C) of the Code will apply. Such catch-up contributions shall not be taken into account for purposes of the provisions of the Plan implementing the required limitations of Section 402(g) of the Code. The Plan shall not be treated as failing to satisfy the requirements of the Plan implementing the requirements of Sections 401(k)(3), 401(k)(11), 402A, 410(b) or 416 of the Code, as applicable, by reason of making such catch-up contributions.

Pursuant to the authority granted by the Board of Trustees during their Board meeting on September 16, 2024, the Chair and Co-Chair have been granted authority to execute this Amendment.

10/8/2024 | 12:11 PM PDT

Date

Eric Muszynski

Chairman

9/19/2024 | 8:45 PM EDT

Date

Alex Hall

Co-Chairman