

**AMENDMENT NO. 9**  
**To the Rules and Regulations of the Pension Plan**  
**For the UTAH PIPE TRADES PENSION TRUST FUND**  
**As Amended and Restated Effective January 1, 2015**

**WHEREAS**, the Trustees of the Utah Pipe Trades Pension Trust Fund (the "Trust Fund") established the Pension Plan for the Trust Fund (the "Plan"), the terms of which are set forth in the Rules and Regulations for the Plan, as amended and restated effective January 1, 2015 (the "Rules and Regulations");

**WHEREAS**, the Trustees have authority to amend the Rules and Regulations under Section 7.1 of the Rules and Regulations and Article VI, Section 4 of the Trust Agreement; and

**WHEREAS**, the Trustees wish to make certain changes to the Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Rules and Regulations are amended as follows:

**ARTICLE I - DEFINITIONS**

**Section 1.13, Employee.**

The term "Employee" means:

- (a) Any individual, union or non-union, in the employment of an Employer and whose work or work classification is covered by a Written Agreement, or and on whose behalf such Employer is otherwise required to contribute to the Plan pursuant to a Written Agreement. A person will not be an Employee of an Employer unless he or she receives an IRS Form W-2 from the Employer.
- (b) The term "Employee" shall not include any self-employed person, any other person excluded as an Employee pursuant to the provisions of the Trust Agreement, or anyone else whose participation would jeopardize the tax-exempt status of the Trust Fund or violate the Taft-Hartley Act, or who would be treated as a non-employee under the Employee Retirement Income Security Act of 1974, as amended.

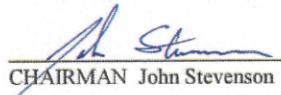
**Section 1.14, Employer.**

The terms "Employer" or "Contributing Employer" include and shall mean any corporation or company that is required by a Written Agreement to make Contributions to the Trust Fund; and for the sole purpose of making Contributions to the Trust Fund or as otherwise required by law, the term "Employer" or "Contributing Employer" may also include the Union and a related training or apprenticeship fund, to the extent such entity is required by a Written Agreement to make Contributions to the Trust Fund. An employer shall not be deemed an Employer simply because it is part of a controlled group of corporations or of a trade or business under common control of which some part is a Contributing Employer.

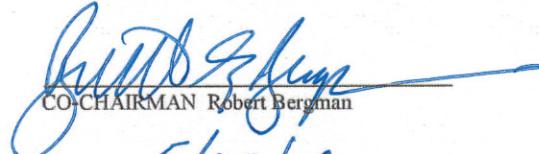
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**Effective Date:** Changes are effective as of the last date signed below.

The undersigned Chairman and Co-Chairman of the Board of Trustees of the Utah Pipe Trades Pension Trust Fund hereby certify that the foregoing Amendment No. 9 was adopted by the Board of Trustees.

  
\_\_\_\_\_  
CHAIRMAN John Stevenson

Date: 5/28/19

  
\_\_\_\_\_  
CO-CHAIRMAN Robert Bergman

Date: 5/28/19