

AMENDMENT No. 2
to the
WASHINGTON STATE PLUMBING AND PIPEFITTING INDUSTRY PENSION PLAN,
JANUARY 1, 2018 Restatement

In accord with the Trustees' intent to clarify the Plan provisions regarding post-retirement work and without expanding those restrictions regarding allowable work while collecting a retirement benefit under the Plan, the following action was taken by the Board of Trustees of the Washington State Plumbing and Pipefitting Industry Pension Plan at their meeting on October 20, 2020.

The Plan is hereby amended to update the identified Sections of the Washington State Plumbing and Pipefitting Industry Pension Plan, January 1, 2018 Restatement as follows:

1. **Section 2.23: WORKING OR REMAINING IN THE INDUSTRY OR IN A CLOSELY-RELATED INDUSTRY, is deleted in its entirety and the terms are incorporated into revised Section 6.07, below.**
2. **A new Section 2.31 is added to the definitions section of the Plan:**

Section 2.31 TRADE OR CRAFT

Trade or craft means the skill or skills learned during a significant period of training or practice and is/are applicable to an occupation or job classification.

3. **Section 6.07: SUSPENSION OF BENEFIT PAYMENTS is amended by deleting subsections (a) through (d) and replacing those subsections with the following:**

(a) Normal Age Retirees (Age 65 and Older).

Retirement benefits will be suspended for any month in which a Normal Age Retiree works 40 or more hours in Post-Retirement Service.

Post Retirement Service is defined as employment:

- i. Within the geographic area of the Plan which for purposes of this Section shall consist of all of the State of Washington, the State of Oregon and the State of Idaho,
- ii. In a Trade or Craft in which the retiree worked while in Covered Employment or in a supervisory position over the Trade or Craft in which the Retiree worked while in Covered Employment; and
- iii. In the Industry, which includes any work for or within the jurisdiction of the U.A. or its Local Unions and/or any business activity of the type in which contributing employers engage, whether or not the retiree's employer is contributing to the Plan.

(b) Early Retirees (Retired Prior to Age 65)

Retirement benefits will be suspended for any month in which an Early Retiree works 40 or more hours in Post-Retirement Service, in any geographic area. For Early Retirees, this includes work:

- i. in a Trade or Craft in which the retiree worked while in Covered Employment or in a supervisory position over a Trade or Craft in which the Retiree worked while in Covered Employment,
- ii. in the Industry as defined in 2.30 and 6.07(a)(iii); or
- iii. in a Closely-Related Industry. Work in a Closely Related Industry is work for a governmental or quasi-governmental agency which is of the type of work which would otherwise be within the jurisdiction of the U.A. and /or work for a U.A. affiliated Local Union.

(c) Retirees Who Are Over Age 70.5

The above notwithstanding, if the Retiree is age 70.5 or older, these suspension rules do not apply to the working retiree.

(d) Disabled Retiree

If a Participant has retired because of disability and is receiving a disability benefit, the Disabled Retiree shall not be entitled to retirement income payments for each month in which:

- (i) the Disabled Retiree works and earns an income, whether the income-producing work is inside or outside of the Trade or Craft, and/or within the Industry, or
- (ii) the Disabled Retiree has earnings from performing work as a plumbing inspector, mechanical inspector or training instructor, in or outside of the Trade, the Industry or a Closely Related Industry which exceed a level as from time to time established by the Board.

A Disabled Retiree shall also be subject to the additional limitations set forth in Sections 4.03(b), (f) and (g).

(The remainder of Section 6.07 is stated below and is unchanged from the January 1, 2018 Restatement of the Plan.)

(e) Retirees Over 70-1/2 Years of Age

If a Retired Employee is over 70-1/2 years of age, the Employee's benefits will not be suspended whether he/she is employed or not.

(f) Notices and Verification of Status.

(i) Notice to Plan From Retired Employee.

A Retired Employee who is under 70-1/2 years of age must notify the Plan whenever he/she becomes employed, and must provide relevant information about his/her employment, so that the Administrative Office may judge whether he/she is still eligible for benefit payments.

(ii) Request for Verification of Employment Status.

At such times and with such frequency as may be reasonable, the Board of Trustees may request that a Retired Employee certify that he/she is unemployed or provide factual information sufficient to establish that employment is not of the type that could result in suspension of benefit payments. If such information is not forwarded to the Administrative Office within 30 days after the request therefor, then future benefit payments may be withheld until such information is received.

(iii) Notice to Plan After Suspension of Benefits.

If a Retired Employee has had benefit payments suspended because of employment, then when he/she ceases to be so employed, he/she shall notify the Administrative Office of termination of such employment. The Plan shall have no obligation to resume benefit payments until after receipt of such notice.

(iv) Notice to Retired Employee of Suspension of Benefits.

No benefit payment shall be withheld unless the Retired Employee is notified by personal delivery or first class mail during the first calendar month in which the Plan withholds payments that the Employee's benefits are suspended. Such notification shall contain the following information:

- (1) A description of the specific reasons why benefit payments are being suspended;
- (2) A general description of the Plan provisions relating to the suspension of payments;

- (3) A copy of such provisions;
- (4) A statement to the effect that the applicable Department of Labor regulations may be found in Section 2530.203-3 of the Code of Federal Regulations;
- (5) The Plan's procedure for affording a review of the suspension of benefits;
- (6) The procedure for notifying the Administrative Office of termination of employment; and
- (7) If any suspendible amounts were actually paid during a period of employment, the suspendible amounts which are subject to offset, and the manner in which the Plan intends to offset those suspendible amounts.

(g) Resumption of Payments.

Payments shall resume no later than the later of the following dates:

- (i) The first day of the third calendar month after the calendar month in which the Retired Employee ceases to be employed in the type of employment for which benefits have been suspended; or
- (ii) Within thirty (30) days after the Retired Employee has notified the Administrative Office of termination of such employment in conformity with Section 6.07(f)(iii).

The initial payment upon resumption shall include the payment scheduled to occur in the calendar month when payments resume and any amounts withheld during the period between the cessation of employment and the resumption of payments, less any amounts which are subject to offset.

Approved by action of the Board of Trustees on October 20, 2020 and dated this _____ day of _____, 2020.

Jeffrey J. Owen, Chairman

Ed Kommers, Secretary

- (4) A statement to the effect that the applicable Department of Labor regulations may be found in Section 2530.203-3 of the Code of Federal Regulations;
- (5) The Plan's procedure for affording a review of the suspension of benefits;
- (6) The procedure for notifying the Administrative Office of termination of employment; and
- (7) If any suspendible amounts were actually paid during a period of employment, the suspendible amounts which are subject to offset, and the manner in which the Plan intends to offset those suspendible amounts.

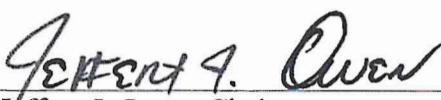
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- (ii) Within thirty (30) days after the Retired Employee has notified the Administrative Office of termination of such employment in conformity with Section 6.07(f)(iii).

The initial payment upon resumption shall include the payment scheduled to occur in the calendar month when payments resume and any amounts withheld during the period between the cessation of employment and the resumption of payments, less any amounts which are subject to offset.

Approved by action of the Board of Trustees on October 20, 2020 and dated this 23 day of November, 2020.


Jeffrey J. Owen

Jeffrey J. Owen, Chairman


Ed Kommers

Ed Kommers, Secretary