

**AMENDMENT NO. \_\_\_\_**

**TO THE**

**WESTERN WASHINGTON U.A. SUPPLEMENTAL PENSION PLAN**

**As Revised and Restated Effective January 1, 2015**

The Board of Trustees of the Western Washington U.A. Supplemental Pension Plan (“Plan”), pursuant to authority granted in Section 11.1 of the Plan, hereby amends Section 7.13 Advance Distribution for Hardship effective January 1, 2025, so that it reads as follows:

**7.13 Advance Distribution for Hardship**

**(a) Authorization of Immediate Payment of Hardship Distributions**

A Participant may request an immediate distribution based on Hardship (as defined below) in the amount necessary to satisfy the immediate and heavy financial need of the Participant.

Any Hardship Distribution paid under this Section shall be immediately distributable to the Participant, and the Participant’s account balance shall be reduced by the amount distributed.

**(b) Hardship Distribution Events**

Withdrawal under this Section shall be permitted if, but only if, the distribution is made to the Participant because of a Hardship.

For this purpose, a Hardship is any of the following hardship distribution events (as generally defined by the IRS regulations under 1.401(k)-1(d)(3)(ii)(B) and related IRS guidance):

**(i) Medical Expenses**

Expenses incurred for medical care described in Section 213(d) of the Internal Revenue Code, which has previously been incurred by the Participant, his or her spouse, or any of their dependents, or amounts that are necessary for them to obtain medical care;

(ii) **Purchase of a Principal Residence**

The costs directly related to the purchase of a principal residence for the Participant, but not including regular mortgage payments.

(iii) **Funeral Expenses**

Funeral expenses for a member of the Participant's family.

(iv) **Tuition or Other Educational Related Fees and Expenses**

Payment of tuition and related educational fees and expenses (including room-and-board expenses) for the next twelve (12) months of post-secondary education for the Participant, his or her spouse, children or other dependents.

(v) **Avoidance of Eviction or Foreclosure**

Payment necessary to prevent the eviction of the Participant from his or her principal residence or amounts necessary to avoid foreclosure on the mortgage of the Participant's principal residence.

(vi) **Casualty Repair of the Participant's Principal Residence**

Expenses needed to repair damage to the Participant's principal residence that would qualify for the casualty deduction under Section 165 of the Internal Revenue Code (determined without regard to whether the casualty loss exceeds 10% of the Participant's adjusted gross income).

(vii) **Expenses Incurred by a Participant Living Within a Federally Declared Disaster Area**

Expenses and losses (including lost income) incurred by the Participant on account of a federally declared disaster as declared by the Federal Emergency Management Agency (FEMA), provided that the Participant's principal place of residence was located within the area designated for individual assistance by FEMA with respect to such disaster.

(c) **Family and Dependent Definition Used for Applying Hardship Distribution Rules**

For purposes of applying the Hardship Distribution rules in this Section, the term “dependent” and “family” shall include an individual with whom the Participant has a domestic partnership or civil union, whether evidenced by a government issued domestic partnership registration certificate, an affidavit or declaration affirming the domestic partnership, or other legally recognized documentation sufficient to establish the relationship.

**(d) Amounts Available for Hardship Distribution**

Effective January 1, 2025 (or as soon as administratively feasible thereafter), the Participant’s full account balance, regardless of original contribution source, shall be available for Hardship Distribution.

If the Participant’s account has contributions from multiple contribution sources or has funds with different tax attributes (e.g. Roth contributions), the Plan may establish administrative practices and procedures for determining which contribution sources shall be utilized (and in what priority) to facilitate the orderly and timely payment of Hardship Distributions and related tax reporting.

Prior to January 1, 2025, the maximum amount distributable on account of Hardship was limited to the total amount of elective contributions made pursuant to Section 4.3 of the Plan (reduced by any elective contributions previously distributed).

**(e) Affirmative Substantiation Process**

When applying for a Hardship distribution, the Participant shall establish, to the satisfaction of the Trustees (or sufficient under an administrative process established by the Trustees), that based on all relevant facts and circumstances, the amount requested:

- (i) is made on account of a Hardship event (as defined above),
- (ii) that the amount of the Hardship distribution requested does not exceed the amount required to relieve the financial need, including any amounts necessary to pay the reasonably anticipated federal, state and local income taxes and penalties resulting from the Hardship distribution, and
- (iii) that financial need from such Hardship cannot be satisfied from other sources reasonable available to the Participant (which shall be deemed to include resources of the Participant’s spouse and minor children that may also be reasonable available to the Participant).

In making such determination, the Trustees may reasonably rely on the Participant's representation that the Hardship cannot be relieved:

- (i) through reimbursement or compensation by insurance or otherwise;
- (ii) by reasonable liquidation of the Participant's other assets, to the extent such liquidation would not itself increase the amount of the financial need; or
- (iii) by borrowing from commercial sources on commercially reasonable terms, to the extent such loan would not also further increase the amount of the need.

**(f) Distribution Election Procedures and Spousal Consent Provisions**

A Hardship Distribution made pursuant to this Section shall be made in a manner that is consistent with and satisfies the provisions of Section 6.1 through 6.4 of the Plan, which generally describe the notice and consent requirements of Section 417 and 411(a)(11) of the Internal Revenue Code (and related regulations issued thereunder).

Adopted by the Board of Trustees via unanimous written consent, and executed by the Trust's Officers on this 24<sup>th</sup> day of January 2025.

Jeffrey. Owen 1/27/2025  
Chairman

J. W.  
Secretary