B.A.C. LOCAL NO. 3
PENSION PLAN
(As amended and restated effective March 1, 2019)

AMENDMENT 5

Pursuant to the authority contained in Article XIII, Section 13.1 of the B.A.C. Local No. 3 Pension Plan (the Plan), the Trustees do hereby amend this Plan, effective as stated below, as follows:

1. **Effective January 1, 2020, amend Section 8.5(i) in its entirety to state as follows:**

   (i) Between January 1, 2017 and June 30, 2021, a Participant may engage in Covered Employment, up to 1,000 in a Plan Year, and not have his or her benefit suspended under the provisions of this Section 8.5, provided that (1) as required by Section 401 of the Internal Revenue Code, at the time of retirement the Participant has separated from service with the Employer or former Employer in whose employment Participant most recently earned benefit credit, and (2) the Participant notifies the Plan in writing of such employment as required in subsection (b). A Participant shall be deemed to have separated from service as required by this subsection if he or she has refrained from Suspendible Employment and has been receiving benefits from this Plan for a period of at least three (3) months. Any additional benefits earned as a result of reemployment will be added to the Participant’s pension following the end of each plan year.

Executed on March 41, 2020 at Walnut Creek, California. In witness of the adoption of this Amendment, Trustees hereby subscribe their names.

**EMPLOYER TRUSTEES**

**UNION TRUSTEES**

Amendment 5
Pension Plan Restated March 1, 2019
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