

Amendment No. 6 (Revised 12/03) Article VIII – Section 8(a)(iv)
RETIREES WORKING AND RECEIVING A PENSION

- (iv) Limited exemption for work in the “building and construction industry.” **Only upon advance job specific application** and specific approval from the Board of Trustees, employment in Non-Covered Employment as described in paragraphs (b) and (c) of this subsection will not be considered disqualifying for purposes of concurrently receiving pension benefits before Normal Retirement Age if the pensioner:
- (a) is at least age 45 and has earned at least 15 pension credits from this Plan, and,
 - (b) is employed by a Governmental Agency or an Employer bound to make contributions to this Trust under the Collective Bargaining Agreement (who has posted the applicable Union Surety Bond if based in California or Nevada), and,
 - (c) performs the work of a detailer, estimator, provided said job takes place principally in the Employer’s office, and not in the field, or sales person or clerical for said Employer, or acts as an Inspector for a Governmental Agency; and,
 - (d) that in the case of a disability pensioner, who retired on a Disability Pension based on medical evidence prior to September 1, 1993, the physical requirements of such work does not negate the original medical findings qualifying such person for pension.

If all the conditions listed above are met, the Pensioner must agree that no welfare coverage will be offered from the date of such employment unless the employer agrees to pay in the current Health and Welfare contribution at a rate of 175 hours per month, that no further pension credits will accrue as a result of the work and that the Pensioner must re-certify his or her status annually in such method as may be directed by the Trustees. **In addition to the annual recertification, a copy of the filed income tax form including W-2 information will be required. A letter requesting approval of continuing employment must be provided along with the recertification and tax information. Approval for employment is only for the job detailed in the letter of request and is only for the employer for which employment approval is requested. Any change in job duties or employer will require approval by the Board of Trustees. Additional information may be requested by the Board of Trustees to assure compliance with the provisions of this subsection.** In the event the Employer is more than three months delinquent in fringe contributions to the Trust, any pension benefits payable in accordance with subsection (iv) shall be suspended. Such suspension shall commence on the first of the month following the date the Pensioner receives notification from the Plan that the exemption is no longer applicable and shall continue until the Pensioner stops prohibited employment or the Employer is no longer delinquent, whichever is earlier.

Amendment No. 13 to the Restatement of the Rules and Regulations of the Pension Plan:

Effective January 1, 2007, Article VIII, Section 8(a)(iv)(c) is revised as follows:

...performs the work of a detailer, estimator, provided such said job takes place principally in the Employer’s office, and not in the field, or sales person or clerical for said Employer, or as a safety officer for said employer, or acts as an Inspector for a Governmental Agency;