

**AMENDMENT NUMBER ONE TO  
PENSION PLAN FOR THE PENSION TRUST FUND  
FOR OPERATING ENGINEERS**

**JANUARY 1, 2015 RESTATEMENT**

Pursuant to Section 1 of Article IV of the Plan's Trust Agreement, this Amendment Number One is adopted at a meeting of the Board of Trustees on the 21st day of December, 2015.

**1. Effective April 1, 2015, Section 7.01(c) of the Plan is amended in its entirety to read as follows:**

- "c. In addition to all other Plan rules for a Pre-retirement Death Benefit, if on or after July 1, 2013, a Participant dies before retirement, his or her beneficiaries will not be eligible for a Pre-Retirement Death Benefit if either:
- (1) The Participant's last employer before retirement was under the Plan's Rehabilitation Plan Default Schedule when the Participant last worked under the Plan, or
  - (2) At the time of the Participant's death he or she was a Vested Inactive Participant. For purposes of determining if a surviving Spouse is eligible for the Pre-Retirement Death Benefit only, any period in which a Participant is unable to work in Covered Employment because of a disability approved by the Social Security Administration as qualifying the Participant for Social Security Disability Benefits will not be used to calculate the Participant's 'Vested Inactive Participant' status."

Executed this 21st day of December, 2015.

  
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Russell E. Burns, Co-Chairman

  
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Richard Piombo, Co-Chairman

**AMENDMENT NUMBER TWO TO  
PENSION PLAN FOR THE PENSION TRUST FUND  
FOR OPERATING ENGINEERS**

**JANUARY 1, 2015 RESTATEMENT**

Pursuant to Section 1 of Article IV of the Plan's Trust Agreement, this Amendment No. Two is adopted at a meeting of the Board of Trustees on the 21<sup>st</sup> day of December, 2015.

1. **Effective January 1, 2016, Section 9.13 of the Plan is amended in its entirety as follows:**

**“Section 9.13. Pensioner Work Addendum and Other Exceptions**

- a. Notwithstanding the provisions of Sections 9.11 and 9.12 above, if the applicable collective bargaining agreement provides for work after Retirement by a Pensioner without suspension of pension benefits, a Pensioner may return to work on the following basis:
- (1) Pensioners not residing in Hawaii will be allowed to perform work only during the months of April through November of any Calendar Year; Pensioners residing in Hawaii will be allowed to perform work during any months of the Calendar Year.
  - (2) The Pensioner complies with any and all terms, conditions and provisions for the Pensioner to participate in any Retiree Work Addendum existing under an applicable collective bargaining agreement.
- b. A Pensioner may also return to work, without suspension of pension benefits, under the following circumstances:
- (1) To pursue employment by the Foundation for Fair Contracting in accordance with terms, conditions and provisions governing that employment established by the collective bargaining parties.
  - (2) To pursue employment as a substitute instructor for the Operating Engineers and Participating Employers Pre-Apprentice, Apprentice and Journeyman Affirmative Action Training Fund, which employment is limited to 349 hours or less in any Plan Year.”

Executed this 21<sup>st</sup> day of December, 2015.

  
Russell E. Burns, Co-Chairman

  
Richard Piombo, Co-Chairman

**AMENDMENT NUMBER THREE TO  
PENSION PLAN FOR THE PENSION TRUST FUND  
FOR OPERATING ENGINEERS**

**JANUARY 1, 2015 RESTATEMENT**

Pursuant to Section 1 of Article IV of the Plan's Trust Agreement, this Amendment No. Three is adopted at a meeting of the Board of Trustees on the 21st day of August, 2017.

**1. Effective January 1, 2017, Section 9.01(d) of the Plan is amended in its entirety as follows:**

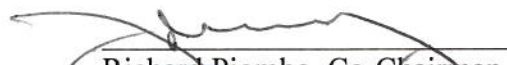
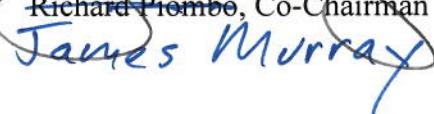
"d. In the event a Participant files an application for a pension and dies prior to the Pension Effective Date, his pension benefits will be determined as if he died the day following his Pension Effective Date, in accordance with the following requirements:

- (1) The application for a pension was received prior to the date of the Participant's death; and
- (2) The Participant died prior to the Pension Effective Date; and
- (3) The Participant met the eligibility requirements for a pension, in accordance with Article III, at the time the application was submitted; and
- (4) The Participant's death occurred less than 90 days after submission of the application for a pension.

If a benefit payment form was not elected at the time the application was submitted, the Participant's surviving Spouse would be entitled to elect from any of the forms of payment available to Pensioners."

Executed this 21st day of August, 2017.

  
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Russell E. Burns, Co-Chairman

  
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Richard Piombo, Co-Chairman  


**AMENDMENT NUMBER FOUR TO  
PENSION PLAN FOR THE PENSION TRUST FUND  
FOR OPERATING ENGINEERS**

**JANUARY 1, 2015 RESTATEMENT**

Pursuant to Section 1 of Article IV of the Plan's Trust Agreement, this Amendment No. Four is adopted by written agreement of the Board of Trustees on the 27th day of November, 2017.

1. **Effective November 1, 2017, Subsection a. of Section 9.13 of the Plan is amended in its entirety as follows:**

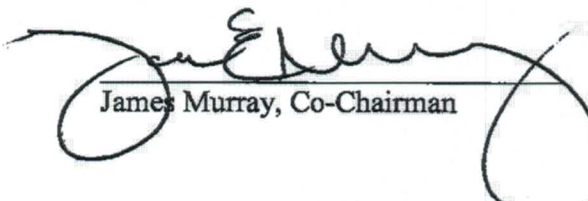
**"Section 9.13.a. Pensioner Work Addendum and Other Exceptions**

- a. Notwithstanding the provisions of Sections 9.11 and 9.12 above, if the applicable collective bargaining agreement provides for work after Retirement by a Pensioner without suspension of pension benefits, a Pensioner may return to work on the following basis:
- (1) Pensioners not residing in Hawaii will be allowed to perform work only during the months of April through November of any Calendar Year; Pensioners residing in Hawaii will be allowed to perform work during any months of the Calendar Year. Notwithstanding the above, Pensioners not residing in Hawaii will be allowed to work on the clean-up of the North Bay and Yuba City fires for the period from December 1, 2017 to March 31, 2018.
  - (2) The Pensioner complies with any and all terms, conditions and provisions for the Pensioner to participate in any Retiree Work Addendum existing under an applicable collective bargaining agreement.

...  
[Remainder of Section 9.13 unchanged]"

Executed this 27th day of November, 2017.

  
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Russell E. Burns, Co-Chairman

  
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James Murray, Co-Chairman

**AMENDMENT NUMBER FIVE TO  
PENSION PLAN FOR THE PENSION TRUST FUND  
FOR OPERATING ENGINEERS**

**JANUARY 1, 2015 RESTATEMENT**

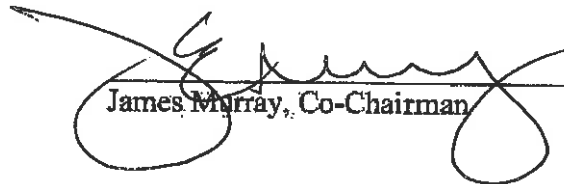
Pursuant to Section 1 of Article IV of the Plan's Trust Agreement, this Amendment No. Four is adopted by written agreement of the Board of Trustees on the 13th day of March, 2018.

**1. Effective immediately, Subsection g. of Section 5.03 of the Plan is amended in its entirety as follows:**

"g. A Participant will receive Credited Service in accordance with Subsections 5.03 a., b., c., and d. for any period after the Contribution Date during which he continuously worked for a Contributing Employer under a Collective Bargaining Agreement with the Union and during which contributions with respect to that work were made to another multiemployer pension program. For purposes of this Subsection 5.03 g., "continuously worked" means that the Participant worked for the Contributing Employer in the type of work described above without incurring a One-Year Break in Service."

Executed this 13 day of March, 2018.

  
Russell E. Burns, Co-Chairman

  
James Murray, Co-Chairman