

**FIFTH AMENDMENT TO THE  
IRON WORKERS OF WESTERN PENNSYLVANIA  
PENSION PLAN  
(As Amended and Restated effective January 1, 2015)**

This Fifth Amendment to the Iron Workers of Western Pennsylvania Pension Plan, as amended and restated effective January 1, 2015, (the “Plan”) is made by the Board of Trustees of the Iron Workers Pension Fund of Western Pennsylvania (the “Trustees”).

WITNESSETH:

WHEREAS, the Trustees previously adopted and presently maintain the Plan as amended and restated on January 1, 2015, and further amended on various subsequent dates;

WHEREAS, the rules regarding the timing of Required Minimum Distributions were changed, and RMDS for 2020 may be waived; and;

WHEREAS, under Section 9.01 of the Plan, the Trustees reserve the right to amend the Plan from time to time in any respect by action of the Trustees.

NOW, THEREFORE, effective January 1, 2020, the Trustees hereby amend the Plan as follows:

1. Section 5.20(g)(4) of the Plan is amended to read as follows:
  - (4) Required beginning date means:
    - (A) For Participants who attained age 70 ½ prior to April 1, 2013, the April 1 of the calendar year following the calendar year in which the Participant attained age 70 ½;
    - B) For Participants who attained age 70 ½ on or after April 1, 2013, but prior to January 1, 2020:
      - (i) for a Participant who is a 5-percent owner within the meaning of Code Section 416 with respect to the Plan Year ending in the calendar year in which he attains age 70 ½, the April 1 of the calendar year following the calendar year in which the Participant attains age 70 ½; and
      - (ii) for all other Participants, the April 1 of the calendar year following the later of (x) the calendar year in which the Participant attains age 70 ½ or (y) the calendar year in

which the Participant Retires.

- (C) For Participants who have not attained age 70 ½ prior to January 1, 2020:
- (i) for a Participant who is a 5-percent owner within the meaning of Code Section 416 with respect to the Plan Year ending in the calendar year in which he attains age 72, the April 1 of the calendar year following the calendar year in which the Participant attains age 72; and
  - (ii) for all other Participants, the April 1 of the calendar year following the later of (x) the calendar year in which the Participant attains age 72 or (y) the calendar year in which the Participant Retires.


2. A new section 5.20(h) is added to the Plan to read as follows:

- (h) Waiver of Required Minimum Distributions for 2020. As and to the extent provided by Code § 401(a)(9)(I) (and applicable IRS guidance):
- (1) The requirement for a Participant or Beneficiary to take a required minimum distribution in calendar year 2020, whether for the 2019 Plan Year or the 2020 Plan Year, is waived.
  - (2) A direct rollover election shall be provided only for an eligible rollover distribution determined without regard to Code §401(a)(9)(I).
  - (3) The five-year period in Code § 401(a)(9)(B)(ii) and the five- and ten-year periods in Code §401(a)(9)(H) shall be determined and applied without regard to 2020.

3. In all other respects, the provisions of the Plan are hereby ratified and confirmed, and they shall continue in full force and effect. In order to maintain the terms of the Plan in a single document, this Amendment may be incorporated into the most recent restatement of the Plan and the Table of Contents and any section numbers and section references or cross-references may be corrected and/or updated at any time.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, pursuant to the proper approval and delegation by the Trustees, the following Employer and Union Trustees have affixed their signatures as of this 11<sup>th</sup> day of DECEMBER 2020.

  
Danielle Harshman  
Employer Trustee

  
Gregory Bernarding  
Union Trustee