

**AMENDMENT NO 2
TO THE
LABORERS PENSION TRUST FUND FOR NORTHERN CALIFORNIA
PENSION PLAN**

AMENDED AND RESTATED JUNE 1, 2014

The undersigned Chairman and Co-Chairman of the Board of Trustees of the Laborers Pension Trust Fund for Northern California hereby certify that at a meeting of the Board of Trustees held on June 1, 2016, the following Amendment to the Pension Trust Fund was adopted in accordance with Article 12, Section 12.01 of the Laborers Pension Trust Fund for Northern California Pension Plan, as follows:

1. Effective July 1, 2016, the following new Section 11.07 is added to the Plan:

Section 11.07 Exception to Withdrawal Liability for New Employers

Notwithstanding any other provision in this Plan, pursuant to Section 4210 of ERISA, new Employers that meet the conditions set forth in this Section 11.07 shall have a one-time exemption from withdrawal liability for up to five years.

An Employer must meet the following conditions in order to be exempt from withdrawal liability under this Section 11.07:

- (a) the Employer first contributes to the Plan on or after July 1, 2016, and
- (b) the Employer was required to make contributions to the Plan for each year in an amount equal to less than 2% of the sum of all Employer contributions to the Plan for each such year, and
- (c) the Employer has not previously been exempted from withdrawal liability under this Plan due to Section 4210 of ERISA.
- (d) The reduction under Section 411(a)(3)(E) of the Internal Revenue Code applies with respect to the Employees of the Employer, but only if the Employer withdraws from the Plan during the five year period following the date the Employer joins the Plan.

An Employer who meets the above conditions shall have a one-time exemption from withdrawal liability for the first five years after joining the Plan. All years in which an Employer contributes to the Plan shall be counted towards the five-year period. If an Employer withdraws from this Plan and then returns to the Plan, the exception under this Section 11.07 shall not apply to any subsequent withdrawal from the Plan by the Employer.

The purpose of this Section 11.07 is to conform to the requirements of ERISA Section 4210, as now in effect or as hereafter amended, which is incorporated herein by reference, and to the extent this Section shall be inconsistent with ERISA Section 4210, the provisions of ERISA Section 4210 shall govern and control. The Trustees may interpret this Section 11.07 as is necessary in

order to comply with requirements of ERISA Section 4210.

Except as amended herein, all the terms and provisions of the Laborers Pension Trust Fund for Northern California Plan are reaffirmed and are to continue in full force and effect. This document may be signed in counterpart.

Date: December 8, 2016

/s/ Oscar De La Torre, Chairman

/s/ Bill Koponen, Co-Chairman

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