

**AMENDMENT NO. 2  
TO THE  
LABORERS HEALTH AND WELFARE TRUST FUND  
FOR NORTHERN CALIFORNIA  
SPECIAL PLAN  
AMENDED AND RESTATED AS OF JANUARY 1, 2016**

The undersigned Chairman and Co-Chairman of the Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern California hereby certify that at a meeting of the Board of Trustees held on September 10, 2019, the following Amendment to the Laborers Health and Welfare Trust Fund for Northern California Special Plan was adopted pursuant to authority given to the Board by Article IV, Section 1 of the Amended and Restated Trust Agreement establishing the Laborers Health and Welfare Trust Fund for Northern California (Amended and Restated September 2008).

1. Effective for claims or disputes arising on or after September 10, 2019, the following new Article VII, Section 11 is added to read as follows:

**Section 11. Waiver of Class, Collective and Representative Actions**

By participating in the Plan, to the fullest extent permitted by law, whether or not in court, Participants, Employees, Dependents, and eligible individuals waive any right to commence, be a party to in any way, or be an actual or putative class member of any class, collective, or representative action arising out of or relating to any dispute, claim or controversy relating to the Plan, and Participants, Employees, Dependents, and eligible individuals agree that any dispute, claim or controversy may only be initiated or maintained and decided on an individual basis.

2. Effective September 10, 2019, Article VIII, Section 5 is revised to read as follows:

**Section 5. When a Lawsuit May Be Started**

The claimant may not start a lawsuit to obtain benefits until after the claimant has requested an appeal and a final decision has been reached. A claimant may also file a lawsuit if the time frames described above have lapsed based on the date the claimant requested a review but did not receive a final decision from the reviewing entity. If the claimant is not satisfied with the final decision, he has the right to bring a civil action to obtain benefits under ERISA § 502(a). A civil action under § 502(a) of ERISA arising from the denial of benefits must be filed within one year from the date on which the Board of Trustees provides notice that the claimant's appeal has been denied, regardless of any state or federal statutes establishing provisions relating to limitations of actions.

Executed this 10<sup>th</sup> day of September, 2019.

/s/ Bill Koponen, Chairman

/s/ Oscar De La Torre, Co-Chairman