



**Statement of Amendment Number 1 to the
Laborers Health and Welfare Trust Fund for Northern California
Retired Plan Rules and Regulations
Amended and Restated Effective March 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 said Board duly and regularly held on March 7, 2017, the following changes to the Laborers Health and Welfare Trust Fund for Northern California Retired Plan were adopted:

Effective October 1, 2016, Article II. Eligibility for Benefits, is amended as follows:

1. The entire Subsections 2.a. and 2.b. are restated to read as follows:

Section 2. Eligibility Rules

a. Establishment and Maintenance of Eligibility

(1) A Retired Employee who makes the required payments to the Fund, in an amount determined by the Board of Trustees, will begin participation in this Plan on the later of the date his eligibility in the Laborers Active Plan terminates or on the Annuity Starting Date of his Pension from the:

(a) **Laborers Pension Trust Fund for Northern California**, if he is receiving a **Regular, Early Retirement, Disability, Service or Reciprocal Pension** (the larger portion of Combined Credited Service being Northern California Credited Service).

A Retired Employee who is receiving a **Reciprocal Pension** but is not eligible under this Subsection 2.a. (1) (a) though he has at least 10 Years of Credited Service with Laborers Pension Trust Fund for Northern California, will be deemed eligible if he has applied for and been denied retired benefits in a health and welfare plan that furnishes benefits to participants in a Related Plan.

A Retired Employee who is receiving a **Deferred Vested Pension** is eligible under this Subsection 2.a. (1) (a) if he works 2,000 hours for Individual Employers in the 48-month period preceding his Annuity Starting Date.

(b) **Hod Carriers Local 166 Pension Plan**, if he is receiving a **Regular, Early Retirement, Disability, Service or Reciprocal Pension**.

A Retired Employee who is receiving a **Deferred Vested Pension** is eligible under this Subsection 2.a. (1) (b) if he works 2,000 hours for Employers in the 48-month period preceding his Annuity Starting Date.

(c) **Retirement Plan for Certain Employees of Laborers Funds Administrative Office of Northern California, Inc.**, if he is receiving a **Regular, Early Retirement, Disability or Service Pension**.

A Retired Employee who is receiving a **Deferred Vested Pension** is eligible under this Subsection 2.a. (1) (c) if he works 2,000 hours for the Company in the 48-month period preceding his Annuity Starting Date.

In the event the employee dies prior to his Annuity Starting Date but would have met the eligibility requirements described in Subsection 2.a. (1) (a), (b) or (c) if he had lived, his surviving Spouse who is entitled to a Joint-and-Survivor Pension, will begin participation in this Plan on the later of the date her eligibility in the Laborers Active Plan terminates or on the Annuity Starting Date of her Pension.

- (2) A person who makes the required payments to the Fund, in an amount determined by the Board of Trustees, and who was eligible under the:
 - (a) Laborers Active Plan for at least 60 months with the same employer, including 12 months within the 48 months immediately preceding retirement, will begin participation in this Plan on the later of the date his eligibility in the Laborers Active Plan terminates or on the effective date of his retirement. To be deemed eligible, he must not be eligible for any other employer supported health and welfare coverage.
 - (b) Laborers Special Plan for at least 60 months, including 12 months within the 48 months immediately preceding retirement, will begin participation in this Plan on the later of the date his eligibility in the Laborers Special Plan terminates or on the effective date of his retirement.
- (3) The Dependent of a Retired Employee becomes eligible on the date the Retired Employee's eligibility is effective or on the date he acquires the Dependent and makes the required payment to the Fund, whichever is later, subject to the Fund's receipt of an enrollment form and required documents to validate the person's relationship with the Retired Employee.

b. Retired Employee Subsidy

The Board of Trustees provides a "Subsidy" to offset the cost of health and welfare coverage for the Retired Employee and his Dependents.

The percentage of the Subsidy, as shown on the Retired Employee Subsidy Table below, is based on the Retired Employee's age and/or his years of service in the Laborers Pension Trust Fund for Northern California, Hod Carriers Local 166 Pension Plan or Retirement Plan for Certain Employees of Laborers Funds Administrative Office of Northern California, Inc., as of his Annuity Starting Date. After his Annuity Starting Date, an adjustment to the Subsidy will take place on the first day of the month following the Retired Employee:

- (1) Attains age 55,
- (2) Attains age 70, or
- (3) Receives a determination from the Social Security Administration that he is entitled to a Social Security Benefit.

The Subsidy, as described in this Subsection 2.b., will apply to Retired Employees who establish eligibility in accordance with the following:

- (4) Subsection 2.a. (1) (a) or (c),
- (5) Subsection 2.a. (1) (b) if the Retired Employee's Pension Annuity Starting Date is on or after October 1, 2016, or
- (6) Subsection 2.a. (2) (b) if the Retired Employee is receiving a pension from **Laborers Pension Trust Fund for Northern California**.

March 7, 2017

Date:

/s/ Oscar De La Torre, Chairman

/s/ Bill Koponen, Co-Chairman