

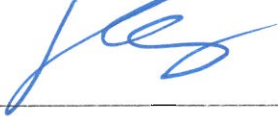
AMENDMENT NUMBER THREE TO
BAY AREA PAINTERS AND TAPERS ANNUITY PLAN
RULES AND REGULATIONS
(June 1, 2016 Restatement)


In accordance with Section 5.14 of the Plan, the undersigned Trustees hereby amend the above-named Plan as set forth on the following pages:


Provision Added or Amended
1. Section 6.05

Effective Date
January 1, 2019

EMPLOYER TRUSTEES

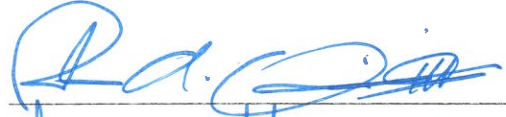


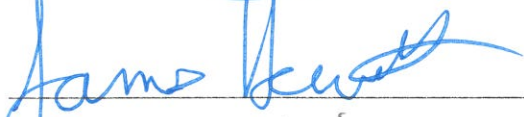





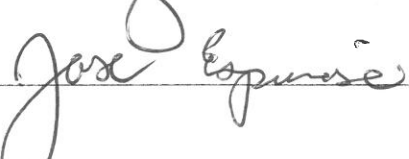
Dated: November 14, 2019

UNION TRUSTEES









Dated: November 14, 2019

**AMENDMENT NUMBER THREE TO
BAY AREA PAINTERS AND TAPERS ANNUITY PLAN
(June 1, 2016 Restatement)**

1. Section 6.05 is amended in its entirety to read as follows:

- (a) Hardship. In the event a Participant suffers a serious financial hardship of sufficient severity that the Participant is confronted by present or impending want or privation, such Participant may withdraw some or all of the balance in his “profit sharing plan” sub-account as provided below. The balance of the “money purchase” sub-account is not eligible for a hardship distribution. The determination of whether a serious financial hardship exists shall be based on all relevant facts and circumstances and will require completion of an application in such form as the Board of Trustees may require. A need shall not be disqualified solely because it was reasonably foreseeable or voluntarily incurred. Serious hardship of sufficient severity shall be demonstrated only if the distribution is on account of one or more of the following:
- (i) Medical expenses that would be deductible under Code Sec. 213(d) (determined without regard to whether expenses exceed 7.5% of adjusted gross income) for the Participant, Participant’s spouse, children, dependents or Beneficiary;
 - (ii) The purchase (excluding mortgage payments) of a principal residence for the Participant;
 - (iii) Tuition and related educational fees for the next 12 months of post-secondary education for the Participant, his spouse, children, dependents or Beneficiary;
 - (iv) The need to prevent the eviction of the Participant from his principal residence or foreclosure on the mortgage of the Participant’s principal residence;
 - (v) Burial or funeral expenses for the Participant’s deceased parent, spouse, children, dependents or Beneficiary;
 - (vi) Expenses for the repair of damage to the Participant’s principal residence that would qualify for the casualty deduction under Section 165 of the code (determined without regard to section 165(h)(5) and whether the loss exceeds 10% of adjusted gross income); or
 - (vii) Expenses and losses (including loss of income) incurred by the Participant on account of disaster declared by the Federal Emergency Management Agency (FEMA), provided that the Participant’s principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster.
- (b) Conditions for Hardship Distribution. No hardship distribution shall be made unless the Board, based upon the Participant’s written representation and that the Board does not have actual knowledge that is contrary to the representation, determines that the following conditions are satisfied:
- (i) The distribution is not in excess of the amount of the immediate and heavy financial need of the Participant plus any amounts necessary to pay income taxes or penalties reasonably anticipated to result from the distribution; and

- (ii) The Participant has obtained all distributions, other than hardship distributions, currently available under all qualified retirement plans maintained by the Participant's Employer.
- (iii) The employer has provided to the Plan Administrator a representation in writing that he has insufficient cash or other liquid assets reasonably available to satisfy the need.

(c) Other Requirements. A hardship distribution will only be made in a lump sum payment. If the Participant is married the hardship distribution must be made with the consent of the Participant's Spouse. A hardship distribution is not eligible for rollover to an IRA or other qualified plan."