

**AMENDMENT NUMBER FOUR 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 4.06

Effective Date
April 1, 2020

EMPLOYER TRUSTEES

DocuSigned by:
Jordan Satrap
913D234AE1E9402

DocuSigned by:
Chris Harris
322CC37223C54F9

DocuSigned by:
Jeanie Simpelo
E722CAC484DD4E0

DocuSigned by:
Siobhan Adrigal
2E7AF7A885834C7

UNION TRUSTEES

DocuSigned by:
DocuSigned by:
Robert Filippas
4C68786EA750436
0D9AD26F07DF4CE

DocuSigned by:
James Lavett
84C9A2CF3C5D43E

DocuSigned by:
Jazy Bonilla
D88D3658DC1941B

DocuSigned by:
Carlos Martinez
3E1C21A04C9C4EB

Dated:

DocuSigned by:
Steve Eckstrom
8F1B3B2ED8824DF

Dated:

DocuSigned by:
Troy Notrangelo
05CCD9D988D34ED

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

1. Effective April 1, 2020, new Section 4.06 is added to the Plan to read as follows:

“Section 4.06. Coronavirus Distribution. The following temporary Coronavirus Distribution provision applies to Participants affected by the Coronavirus pandemic. This temporary Coronavirus Distribution provision expires on December 31, 2020, in accordance with the Coronavirus Aid, Relief and Economic Security Act (CARES Act).

- a. A Participant who meets one of the following eligibility criteria may apply for a Coronavirus Distribution of the balance in the Participant’s account not to exceed \$25,000:
 - (1) Participant has been diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Center for Disease Control (CDC);
 - (2) Participant’s Spouse or dependent (as defined in section 152 of the Internal Revenue Code) is diagnosed by such virus or disease by such a test; or
 - (3) Participant has experienced adverse financial consequences as a result of
 - i. being quarantined, being furloughed or laid off, or having work hours reduced due to such virus or disease;
 - ii. being unable to work due to lack of child care due to such virus or disease;
 - iii. closing or reducing hours of a business owned or operated by the Participant due to such virus or disease; or
 - iv. for other factors as determined by the Secretary of the Treasury;
- b. Other Requirements:
 - (1) The Participant must certify in writing that the Participant satisfies one of the criteria of subparagraph (a) to receive a Coronavirus Distribution.
 - (2) A Coronavirus Distribution will only be made in a lump sum payment and will be first drawn from the money purchase plan subaccount of the Individual Account of the Participant. If the balance of the Participant’s money purchase subaccount is insufficient to cover the amount of the requested Distribution, the remainder will be drawn from the profit-sharing subaccount of the Individual Account of the Participant.
 - (3) If the Participant is married, the Coronavirus Distribution must be made with the consent of the Participant’s Spouse on a form acceptable to the Plan. The consent of the Spouse must be witnessed by a notary public.
- c. Under the CARES Act, the following special tax rules apply to Coronavirus Distributions:
 - (1) The 10% early distribution penalty tax under Section 72(t) of the Internal Revenue Code for distributions before age 59 ½ does not apply.

- (2) The 20% mandatory withholding for federal taxes on pension plan distributions does not apply.
- (3) Coronavirus Distributions are included in gross income for federal tax purposes ratably over a three-taxable-year period beginning with the year the Coronavirus Distribution is received (unless the Participant elects otherwise).
- (4) Participants may repay any Coronavirus Distribution to an eligible retirement plan within three years of the date the distribution is received. If repaid, the Coronavirus Distribution will be treated as an eligible rollover distribution and will not be subject to federal income tax.”