

**AMENDMENT NO. 1  
TO THE  
ELECTRICAL WORKERS LOCAL NO. 292  
DEFINED CONTRIBUTION AND 401(k) PLAN  
(Amended and Restated as of October 20, 2003)**

**WHEREAS**, Section 11.1 of the Electrical Workers Local No. 292 Defined Contribution and 401(k) Plan (as amended and restated as of October 20, 2003) provides that the Trustees may amend the plans, and;

**WHEREAS**, the Trustees desire to amend the plan to assure its continuing status as tax-qualified Plan operating under Sections 401(a) and 401(k) of the Internal Revenue Code;

**NOW THEREFORE, BE IT RESOLVED** that the Electrical Workers Local No. 292 Defined Contribution and 401(k) Plan (as amended and restated as of October 20, 2003) is hereby amended as follows:

**“7.4 HARDSHIP DISTRIBUTIONS.** A Participant may apply for and receive a single distribution or series of distributions from his Account P as follows:

- (a) The Participant must establish that his (and his dependents’) benefits under the I.B.E.W. 292 Health Care Plan have been exhausted or will become exhausted because insufficient employer contributions have been made on his behalf to that Plan;
- (b) The amount of the distribution(s) shall not exceed the amount required to keep Health Care Plan benefits in force for the Participant (and his dependents, if he so chooses);
- (c) Distributions under this provision shall be made only for the Participant (and his dependents, if he so chooses) to continue to make self-payments, but not COBRA continuation coverage payments, to the I.B.E.W. 292 Health Care Plan;
- (d) Distributions under this provision shall be paid directly to the I.B.E.W. 292 Health Care Plan;
- (e) The amount of the distribution(s) shall be reported as taxable income to the recipient.”

**IN WITNESS WHEREOF**, the undersigned members of the Board of Trustees have executed this Amendment on this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

UNION TRUSTEES

EMPLOYER TRUSTEES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

176613