

**AMENDMENT NO. 4
TO THE
PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION
OF THE
I.B.E.W. 292 HEALTH CARE PLAN
(2015 Restatement)**

WHEREAS, the Section entitled "Trustee Authority to Amend and Terminate the Plan" in the Plan Document and Summary Plan Description of the I.B.E.W. 292 Health Care Plan (Amended and Restated Effective January 1, 2015) (the "Plan") empowers the Board of Trustees to amend the Plan; and,

WHEREAS, the Trustees believe it is in the best interests of participants to amend the Plan.

NOW THEREFORE, BE IT RESOLVED, that the Plan Document is hereby amended to clarify changes to continued Plan eligibility due to FMLA leave or Qualifying Conditions as shown on the attached replacement pages 108, 109 and 110.

The provisions of this Amendment will be effective as of September 14, 2016.

IN WITNESS WHEREOF, the duly authorized Trustees of the I.B.E.W. 292 Health Care Plan executed this Amendment on September 14, 2016.

cost of coverage. If you exhausted your Premium Credits to pay for coverage while on military leave, you may make self-payments to resume your eligibility for coverage under the Plan until such time as you have received sufficient Contributing Employer contributions for coverage; and

- ◆ Your Premium Credit Account will reflect any contributions added while you were performing military service as well as the impact of freezing or continuing coverage, as the case may be, during military service. Contact the Plan Administrator to determine your Premium Credit Account balance and learn what activity took place in your account during your military service.

Regardless of the election you made, if your Premium Credit Account balance equals less than one month's worth of premiums, you will need to pay the difference before you or your Eligible Dependents will be covered again. Conversely, if your Premium Credit Account balance equals at least one month's worth of premiums, eligibility will be automatically reinstated for you and your Eligible Dependents.

Time limits to return to work

If you were in military service: You must return to work for a Contributing Employer or sign the book:

1 to 30 days By the beginning of the first regularly scheduled work day beginning more than eight hours after your date of discharge.

31 to 180 days Within 14 days after your date of discharge.

More than 180 days Within 90 days after your date of discharge.

These time limits may be extended if you suffered a service-connected Injury or Illness, and you should contact the Plan Administrator if you did.

Also, within fourteen (14) days of returning to work or signing the book as indicated above, you must deliver to the Plan Administrator: (1) copies of your discharge papers showing the date of induction, date of discharge or termination of duty, and whether the discharge was honorable; (2) the identity of the Contributing Employer you are working for (or the date you signed the book); and (3) whether that Contributing Employer is the same Employer you worked for immediately before entering military service.

Family and Medical Leave Act of 1993 (FMLA)

Under the Family and Medical Leave Act of 1993 (the "FMLA"), you may be entitled FMLA leave for up to twelve (12) weeks if you are away from work due to a Qualifying Condition (defined below). You will only be eligible for FMLA leave if you have worked for a Contributing Employer for at least one year, and you have worked at least 1,250 hours for the same Contributing Employer over the previous twelve (12) months. Your Contributing Employer is responsible for determining your eligibility for FMLA leave.

Even if you are not eligible for FMLA through your employer (e.g., you have not worked for the same Contributing Employer for the previous twelve (12) months), you may be eligible to continue coverage under the Plan if you satisfy the requirements in the following section ("Continued Coverage Due to a Qualifying Condition"). This option to continue Plan coverage is a Plan benefit and is separate and distinct from any rights or protections you may have under FMLA.

Continued Coverage Due to a Qualifying Condition

You may be entitled to continued Plan eligibility for up to twelve (12) weeks if you qualify for FMLA leave. You may also be eligible for continued Plan eligibility for up to twelve (12) weeks if you are away from work due to a Qualifying Condition and have worked for one or more Contributing Employers for a combined total of at least one year, and you have worked at least 1,250 hours for one or more Contributing Employers over the previous twelve (12) months.

Advanced Notice and Medical Certification

The Plan is responsible for determining if you meet the requirements for continued Plan eligibility due to the occurrence of a Qualifying Condition. To determine eligibility, the Plan may require your permission to obtain information regarding your employment from your Contributing Employer(s).

The Plan may require you to provide advanced notice and medical certification before any request for continued Plan eligibility is granted. A request for continued Plan eligibility may be denied if the following requirements are not satisfied:

- ◆ You must provide the Plan with thirty (30) days' advance notice of your intent to take FMLA leave or other leave for a Qualifying Condition when it is foreseeable;
- ◆ If a Qualifying Condition is not foreseeable, notice must be provided as soon as practicable;
- ◆ The Plan may require you to provide medical certification to support a request for continued Plan eligibility to a Qualifying Condition; and
- ◆ The Plan may require your permission to obtain information regarding your employment from your Contributing Employer(s).

Qualifying Conditions

You may be entitled to continued Plan eligibility if you satisfy the employment requirement and you experience a Qualifying Condition. A Qualifying Condition is any of the following:

- ◆ To care for your child after the birth or the placement of a child with you for adoption or foster care;
- ◆ To care for your spouse, child, foster child, adopted child, stepchild or parent who has a serious medical condition;
- ◆ For a serious health condition that makes it impossible for you to perform your job duties;
- ◆ Military Care Giver Leave to care for a parent, spouse, child, or relative to whom the Employee is next of kin when the family member is a veteran who served in the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years before the date the veteran undergoes the medical treatment, recuperation or therapy;

- ◆ To care for a service member whose serious injury or illness was incurred before the active duty but was aggravated by military service in the line of active duty. For veterans, a serious illness or injury is a “qualifying injury or illness” that was incurred in the line of duty on active duty in the Armed Forces and that manifested itself before or after the service member became a veteran. Only where the serious injury or illness rises to the level of a subsequent injury or illness will an employee be entitled to take leave for the same covered service member;
- ◆ For Qualifying Exigency Leave.
 - Qualifying Exigency Leave covers members of the regular Armed Forces who are deployed to a foreign country. For members of a regular component of the Armed Forces, covered active duty means duty during deployment to a foreign country. For members of the Reserves, it means duty during deployment to a foreign country under a call or order to active duty pursuant to specified provisions of federal law. In order for an Employee to qualify for exigency leave, Employee’s spouse, son, daughter or parent must be on “covered active duty.” Qualifying exigencies include:
 1. Short-notice deployment;
 2. Military events and related activities;
 3. Childcare and school activities;
 4. Financial and legal arrangements;
 5. Counseling;
 6. Rest and recuperation;
 7. Post-deployment activities; and
 8. Additional activities to which the employer consents.

In the event you or your Spouse are both covered under this Plan as Employees, the continued Plan eligibility due to caring for a newborn child or an adopted child cannot exceed a total of twelve (12) weeks. In addition, if continued Plan eligibility is due to caring for a parent with a serious health condition, the continued coverage may not exceed a combined total of twelve (12) weeks.

Intermittent Leave

The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances. Intermittent leave may be taken when medically necessary to care for a seriously ill family member, or because of the employee’s serious health condition. Intermittent leave may be taken to care for a newborn or newly placed adopted or foster care child only with your Contributing Employer’s approval. Your Contributing Employer is responsible for determining your eligibility for intermittent leave under the FMLA.

If seeking continued Plan coverage during intermittent leave, the Plan may require you to provide additional medical certification. The Plan may not request recertification more often than every thirty (30) days, and may only request recertification in connection with an absence.

However, the Plan may always request recertification if circumstances have changed or if the Plan receives information that casts doubt on the employee's reason for the absence.

Continued Coverage While Disabled

If you are unable to perform work because you are Totally Disabled and are receiving disability benefits under the Plan, you may still be eligible for continued eligibility under the Plan due to a Qualifying Condition or FMLA leave. Continued eligibility due to a Qualifying Condition or FMLA leave will run concurrently with any Disability leave.

What to Do If You Would Like to Take an FMLA Leave of Absence

To take an FMLA leave of absence, you and your Employer must meet other conditions. If you would like to apply for continued coverage under the Plan due to a Qualifying Condition, or if you have any questions about continued coverage under the Plan due to a Qualifying Condition, please contact the Fund Office.