

**AMENDMENT NO. 5  
TO THE  
ELECTRICAL WORKERS LOCAL NO. 292  
DEFINED CONTRIBUTION AND 401(k) PLAN  
Amended and Restated as of May 1, 2015**

**WHEREAS**, Section 11.1 of the Electrical Workers Local No. 292 Defined Contribution and 401(k) Plan (Plan), provides that the Trustees may amend the Plan; and

**WHEREAS**, the Trustees believe it is in the best interests of the Plan's participants to amend the Plan to allow for all participants facing foreclosure to take a hardship distribution from Account A and/or Account P.

**NOW, THEREFORE, BE IT RESOLVED** that the Plan is hereby amended according to the attached replacement page 37.

*This amendment is effective on January 1, 2018.*

**IN WITNESS WHEREOF**, we hereby approve and adopt this amendment on June 14, 2018

**7.5 DISTRIBUTIONS DUE TO FORECLOSURE ON PARTICIPANT'S PRINCIPAL RESIDENCE.** A Participant may apply for and receive a limited withdrawal to prevent or forestall foreclosure of a mortgage or cancellation of a land contract on the principal residence of the Participant as follows:

- (a) Foreclosure Withdrawal Defined. Solely for purposes of a distribution from the Participant's Account A or P, foreclosure is defined as the receipt of a notice of default from the holder of Participant's mortgage or land contract ("Creditor") on the Participant's principal place of residence.
- (b) Principal Place of Residence. For purposes of this Section 7.5, "principal place of residence" means a home owned and occupied by the Participant as the full time residence of the Participant and his family. Principal place of residence does not include rental property, whether or not occupied by the Participant and his family, vacation property, or income producing property (unless the income producing property otherwise meets the terms of the definition of "principal place of residence").
- (c) Application for Foreclosure Withdrawal. A Participant may apply for a foreclosure withdrawal upon receipt of a notice of default on the mortgage or contract for deed on their principal place of residence. The notice of default must specify and event of default that is capable of being cured by the payment of money and must provide a period of time to cure the default of at least 30 days. To apply for a foreclosure withdrawal, a Participant must complete a foreclosure withdrawal application, in a form specified by the Trustees and submit it, along with all required supporting documentation to the Plan Administrator in a sufficient time, as determined by the Plan in its sole discretion, to permit the application to be approved and payments made to the Creditor prior to the end of the time to cure the default.

In addition to any other requirements imposed by the Plan, a foreclosure withdrawal application must include the following:

- (i) Creditor Acknowledgment. The Creditor will be required to acknowledge, in writing, its willingness to: accept payment directly from the Plan; to cure the default upon receipt of such payment; to accept additional funds from the Plan equal to up to six additional future monthly mortgage or contract for deed payments; and to apply such additional funds as a pre-payment