

AMENDMENT NUMBER 2 TO THE PLAN DOCUMENT OF THE IBEW NECA CONDUIT 401(K) PLAN

WHEREAS, Article 11, Section 11.1 of the Plan Document provides that the Plan Document may be amended at any time by an instrument in writing executed and duly adopted by the Board of Trustees;

WHEREAS, the Board of Trustees hereby amends the Plan Document as follows:

1. *Effective February 15, 2024, Section 7.2 on pages 36-37 shall be amended to read as follows:*

7.2 HARDSHIP DISTRIBUTIONS.

In the case of a financial hardship resulting from a proven immediate and heavy financial need, an active Participant may receive a distribution not to exceed the lesser of (i) the vested value of the Participant's Account excluding the portion of a Participant's vested Account, if any, derived from funds transferred from a plan subject to the provisions of Code Sections 401(a)(11) and 417, or (ii) the amount necessary to satisfy the financial hardship. The amount of any such immediate and heavy financial need may include any amounts necessary to pay Federal, state or local income taxes reasonably anticipated to result from the distribution. Such distribution shall be made in accordance with nondiscriminatory and objective standards and procedures consistently applied by the Administrator. For purposes of this Section, an active Participant shall include an Employee who has severed employment with the Employer but is still employed by a member of the Employer's related group and who has an Account under the Plan.

Hardship distributions under this Section shall be deemed to be the result of an immediate and heavy financial need if such distribution is to:

- (a) pay expenses for (or to obtain) medical care that would be deductible under Section 213(d) of the Code (determined without regard to whether the expenses exceed seven and one-half percent (7.5%) of adjusted gross income);
- (b) purchase the principal residence of the Participant (excluding mortgage payments);
- (c) pay tuition and related educational fees for the next twelve (12) months of post-secondary education for the Participant, Participant's Spouse, or any of the Participant's dependents (as defined in Section 152 of the Code, and without regard to Section 152(b)(1), (b)(2) and (d)(1)(B) of the Code);
- (d) prevent the eviction of the Participant from his principal residence or foreclosure on the Participant's principal residence;

(e) pay funeral or burial expenses for the Participant's deceased parent, Spouse, children or dependents (as defined in Section 152 of the Code, and without regard to Section 152(d)(1)(B) of the Code);

(f) repair damage to the Participant's principal residence that would qualify for a casualty loss deduction under Section 165 of the Code 37 (determined without regard to whether the loss exceeds ten percent (10%) of adjusted gross income, and determined without regard to Section 165(h)(5) of the Code); or (g) pay expenses and losses (including loss of income) incurred by the Participant on account of a disaster declared by the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. 100-707, 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. Distributions paid pursuant to this Section shall be deemed to be made as of the Valuation Date immediately preceding the hardship distribution, and the Participant's Account shall be reduced accordingly.

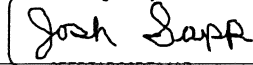
In connection herewith, hardship distributions shall also be permitted by the Participant for the above-referenced educational expenses, funeral expenses and/or medical expenses incurred by a Participant's "Primary Beneficiary". For purposes hereof, a Participant's "Primary Beneficiary" shall mean an individual who is named as a Beneficiary under the Plan pursuant to Section 6.8 and has an unconditional right to all or a portion of the Participant's vested Account under the Plan upon the Participant's death.

A distribution shall be deemed necessary to satisfy an immediate and heavy financial need of a Participant if all of the following requirements are satisfied:

- (1) The distribution is not in excess of the amount of the immediate and heavy financial need of the Participant; and
- (2) The Participant represents, in accordance with procedures established by the Administrator, that he has insufficient cash or other liquid assets reasonably available to satisfy the financial need and that the Participant has an immediate and heavy financial need as required for a hardship distribution under the Plan. The Administrator may rely on the Participant's representation unless the Administrator has actual knowledge to the contrary.

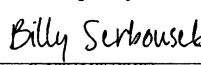
IN WITNESS WHEREOF, the undersigned have executed this instrument on this 15th day of February 2024.

Chairman
DocuSigned by:



9FED7ABC6DFA4AB...

Secretary
DocuSigned by:



4EAB074485D3497...