

**AMENDMENT NO. 6 TO THE
CEMENT MASONS HEALTH AND WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA**

**ACTIVE AND RETIRED PLAN RULES AND REGULATIONS
AMENDED AND RESTATED MARCH 1, 2015**

The undersigned Chairman and Co-Chairman of the Board of Trustees of the Cement Masons Health and Welfare Trust Fund for Northern California hereby certify that at a meeting of said Board duly and regularly held on **December 11, 2020** the following changes to the Cement Masons Health and Welfare Trust Fund for Northern California Active and Retired Plan were adopted effective **December 11, 2020**:

1. Article X, Section 5 is restated to read as follows:

Section 5. When a Lawsuit May Be Started

The claimant may not start a lawsuit to obtain benefits until after the claimant has requested an appeal and a final decision has been reached. A claimant may also file a lawsuit if the time frames described above have lapsed based on the date the claimant requested a review but did not receive a final decision from the reviewing entity. If the claimant is not satisfied with the final decision, he has the right to bring a civil action to obtain benefits under ERISA §502(a).

A civil action under §502(a) of ERISA arising from the denial of benefits must be filed within one year from the date on which the Board of Trustees provides notice that the claimant's appeal has been denied, regardless of any state or federal statutes establishing provisions relating to limitations of actions.

2. Effective for claims or disputes arising on or after December 11, 2020, a new Section 6 is added to Article X as follows:

Section 6. Waiver of Class, Collective and Representative Actions

By participating in the Plan, to the fullest extent permitted by law, whether or not in court, Participants, Employees, Retirees, Beneficiaries, Dependents and Eligible Individuals waive any right to commence, be a party to in any way, or be an actual or putative class member of any class, collective, or representative action arising out of or relating to any dispute, claim or controversy relating to the Plan, and Participants, Employees, Retirees, Beneficiaries, Dependents and Eligible Individuals agree that any dispute, claim or controversy may only be initiated or maintained and decided on an individual basis.

Executed this _____ day of _____, 2021.

DocuSigned by:

Brian Gardner

496A2F123CE649B...

Brian Gardner, Chairman

4828-7218-2483.1

DocuSigned by:

Greg Levy

4F3DCC81A6BB43E...

Greg Levy, Co-Chairman