

**FOURTH AMENDMENT TO THE
IRON WORKERS OF WESTERN PENNSYLVANIA
PENSION PLAN
(As Amended and Restated effective January 1, 2015)**

This Fourth Amendment to the Iron Workers of Western Pennsylvania Pension Plan, as amended and restated effective January 1, 2015, (the “Plan”) is made by the Board of Trustees of the Iron Workers Pension Fund of Western Pennsylvania (the “Trustees”).

WITNESSETH:

WHEREAS, the Trustees previously adopted and presently maintain the Plan as amended and restated on January 1, 2015, and further amended on various subsequent dates;

WHEREAS, the Trustees wish to amend the Plan to comply with new disability claims procedures as required by the Department of Labor; and

WHEREAS, under Section 9.01 of the Plan, the Trustees reserve the right to amend the Plan from time to time in any respect by action of the Trustees.

NOW, THEREFORE, effective April 1, 2018, the Trustees hereby amend the Plan as follows:

1. Section 8.03(e)(3) of the Plan is amended to read as follows:
 - (3) For a Disability Benefit claim, the denial notice shall also include:
 - (A) any internal rule, guideline, protocol or other similar criterion relied on for the denial, or a statement that none was used;
 - (B) if the denial was based on a medical necessity or experimental treatment or similar exclusion or limit, an explanation of the scientific or clinical judgment for the denial, applying the Plan terms to the claimant’s medical circumstances, or a statement that such explanation will be provided free of charge upon the claimant’s request;
 - (C) a statement that the claimant is entitled to receive, upon request and free of charge, reasonable access to, and copies of, all documents, records, and other information relevant to the claimant’s claim for benefits; and

- (D) a discussion of the decision, including an explanation of the basis for disagreeing with or not following:
 - (i) the views presented by the claimant to the Plan of health care professionals treating the claimant and vocational professionals who evaluated the claimant;
 - (ii) the views of medical or vocational experts whose advice was obtained on behalf of the Plan in connection with a claimant's adverse benefit determination, without regard to whether the advice was relied upon in making the benefit determination; and
 - (iii) a disability determination regarding the claimant presented by the claimant to the Plan made by the Social Security Administration.

2. Section 8.03(f)(4) of the Plan is amended to add a new sub-section (D) to read as follows:

- (D) Before the Plan can issue an adverse benefit determination on appeal, the Plan must provide the claimant, automatically and free of charge:
 - (i) any new or additional evidence considered, relied upon, or generated by the Plan in connection with the claim; and
 - (ii) any new or additional rationale that is the basis for an adverse benefit determination.

The evidence and rationale must be provided as soon as possible and sufficiently in advance of the date on which the notice of adverse benefit determination on review is required to be provided, so as to give the claimant a reasonable opportunity to respond prior to that date.

3. Section 8.03(i)(2) of the Plan is amended to read as follows:

- (2) For a Disability Benefit claim, the notice of decision shall also include the items listed in section (e)(3) above.

4. In all other respects, the provisions of the Plan are hereby ratified and confirmed, and they shall continue in full force and effect. In order to maintain the terms of the Plan in a single document, this Amendment may be incorporated into the most recent restatement of the Plan and the Table of Contents and any section numbers and section references or cross-references may be corrected and/or updated at any time.

IN WITNESS WHEREOF, pursuant to the proper approval and delegation by the Trustees, the following Employer and Union Trustees have affixed their signatures as of this 9th day of MARCH, 2018.



David D. Daquelente
Employer Trustee



Gregory A. Christy
Union Trustee