

AMENDMENT NO. 4
TO THE THIRD RESTATEMENT OF THE RULES AND REGULATIONS
OF THE PENSION PLAN FOR THE
ARIZONA LABORERS AND TEAMSTERS
PENSION TRUST FUND

I. Effective January 1, 2008, the Retirement Plan is amended as follows:

Sections 36 and 37 are restated to read:

Section 36. Applicable Interest Rate.

- (a) For Annuity Starting Dates on or after January 1, 2008, the Applicable Interest Rate means the adjusted first, second, and third segment rates applied under rules similar to the rules of Code §430(h)(2)(C) for the month of November (as published in December) immediately preceding the calendar year (which serves as the stability period). For this purpose, the segment rates shall be subject to the conditions set forth in Code §417(e)(3)(D).
- (b) For Annuity Starting Dates on or after January 1, 2008, but before January 1, 2010, any benefit that is calculated using the Applicable Interest Rate and the Applicable Mortality Table shall be the greater of the amount calculated using:
 - (1) the Applicable Interest Rate as defined in Section 36(a) and the Applicable Mortality Table as defined in Section 37(a); or
 - (2) the Applicable Interest Rate and the Applicable Mortality Table as defined prior to January 1, 2008; or
 - (3) the interest rate and mortality table specified for lump sums in Article VIII, Section 7 of the Plan.

Section 37. Applicable Mortality Table.

- (a) For Annuity Starting Dates on or after January 1, 2008, the Applicable Mortality Table means a mortality table, based on the mortality table specified for the calendar year under subparagraph (A) of Code §430(h)(3) (without regard to subparagraph (C) or (D) of such section).

- (b) For Annuity Starting Dates on or after January 1, 2008, but before January 1, 2010, any benefit that is calculated using the Applicable Interest Rate and the Applicable Mortality Table shall be the greater of the amount calculated using:
 - (1) the Applicable Interest Rate as defined in Section 36(a) and the Applicable Mortality Table as defined in Section 37(a); or
 - (2) the Applicable Interest Rate and the Applicable Mortality Table as defined prior to January 1, 2008; or
 - (3) the interest rate and mortality table specified for lump sums in Article VIII, Section 7 of the Plan.

II. Effective January 1, 2009, the Pension Plan is amended as follows:

Article VII, Section 2 is added as follows:

Section 2. Optional 75% Husband-and-Wife Pension. A married Participant may, with spousal consent, elect to receive the Optional 75% Husband-and-Wife Pension instead of the Husband-and-Wife Pension provided by Article IV.

- (a) The monthly amount to be paid to the eligible surviving Spouse is 75% of the monthly amount received by the Pensioner at the time of his death.
- (b) When an Optional 75% Husband-and-Wife Pension becomes effective, the amount of the Participant's Pension otherwise payable will be reduced in accordance with the following:
 - (1) Non-Disability Pensions. The Pension amount otherwise payable shall be adjusted by multiplying it by the following percentage: 84.0 percent minus .5 percentage points for each year the spouse's age is less than the Participant's age or plus .5 percentage points for each year the spouse's age is greater than the Participant's age; provided, however, that in no event shall the resulting percentage be greater than 100.0 percent.
 - (2) Disability Pensions. The Pension amount otherwise payable shall be adjusted by multiplying it by the following percentage: 71.0 percent minus .5 percentage points for each year the spouse's age is less than the Participant's age or plus .5 percentage points for each year the spouse's age is greater than the Participant's age; provided, however, that in no event shall the resulting percentage be greater than 100.0 percent.

If the Participant is younger than age 55 on the Pension Effective Date of his Disability Pension, an additional .5 percentage points for each year the

Participant is younger than age 55 shall be added to the percentage determined above. In no event shall the resulting percentage be greater than 100.0 percent.

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The undersigned Chairman and Co-Chairman of the Board of Trustees of the Arizona Laborers, Teamsters, and Cement Masons Local 395 Pension Trust Fund do hereby certify that the foregoing Amendment 6 to the Second Restatement of the Rules and Regulations of the Pension Plan was duly adopted by the Board of Trustees at a meeting duly called and held on _____, 2009.



Chairman



Secretary

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