

# **CEMENT MASONS AND PLASTERERS**

## **401(K) Summary Plan Description**



**Summary Plan Description**  
**January 2024**

To All Participants:

We are pleased to provide you with this booklet describing the benefits of the Cement Masons and Plasterers 401(k) Plan (the “Plan”). The Plan which was originally effective November 3, 2022, is funded by the Cement Masons and Plasterers Trust (“Trust”). The Plan provides retirement benefits to qualified cement masons and plasterers and their beneficiaries in the Pacific Northwest. The Plan is a qualified retirement plan that allows employers to contribute on behalf of participants pursuant to a written agreement and allows participants to elect pre-tax elective deferral of payroll deductions to an individual account under the Plan. This booklet, effective October 1, 2024, summarizes how benefits are earned and paid.

The Board of Trustees has the authority to administer the Plan and to amend, modify or eliminate provisions of the Plan (in whole or in part) in such manner as they determine will promote efficiency, economy, and better service for those affected thereby. The Trustees have the discretionary authority and exclusive right to construe the provisions of the Plan and to determine any and all questions pertaining to administration, eligibility, and benefit entitlement, including the right to remedy possible ambiguities and inconsistencies or omissions. No individual Trustee, participating employer, employer association, labor organization, or listed entities (nor any individual employed thereby) has any authority to alter or interpret the terms of the Plan.

Only the Administration Office is authorized by the Board of Trustees to answer your questions. No Union or Employer, nor any representative of any Union or Employer, is authorized to interpret or amend the Plan on behalf of the Board—nor can such person act as an agent of the Board of Trustees. Please contact the Administration Office if you have any questions concerning the Plan or your retirement rights or benefits. Although the principal provisions of the Plan are described, not all details are covered. If there is any difference between this booklet and the official Plan document, the Plan document will govern. Copies of the Plan document may be obtained from the Administration Office. Any information provided in this booklet on taxes is general in nature and may not apply to your personal circumstances. You should consult a tax advisor for more information.

We urge you to become familiar with this booklet. Keep it with your other important papers so you may refer to it when you end employment or retire. You may contact the Administration Office if you have questions about the Plan. Any interpretation by the Administration Office or another designated entity is subject to review by the Board of Trustees.

When you are ready to take your benefit, or if you have any questions about your participation, eligibility for benefits or about any matter related to the Trust Fund or 401(k) Plan administration, contact the Administration Office. Make sure to notify the Administration Office whenever your address, phone number, or beneficiary changes.

The Administration Office:

**Welfare & Pension Administration Service, Inc.**

7525 SE 24<sup>TH</sup> Street, Suite 200

Mercer Island, WA 98040

Mailing Address:

PO Box 34203

Seattle, WA 98124-1203

**(877) 367-0528**

You can review your work history hours/contributions at [www.cementmasonstrust.com](http://www.cementmasonstrust.com).

For questions relating to your investment options, investment accounts and their balance, and investment changes please contact Milliman at:

**MillimanBenefits.com**

(866) 767-1212

Sincerely,

Board of Trustees, Cement Masons and Plasterers 401(k) Plan

**Important Reminder** - You must advise the Administration Office of any changes in your basic demographic data, including changes in your name, marital status, dependents, other insurance coverage available, designated beneficiary, home address, email address and telephone number. Provide information changes by completing and sending a new Enrollment Form to the Administration Office. If you have a change in dependents, divorce requires a complete filed copy of your divorce decree along with any accompanying court orders including the parenting plan. Marriage requires a copy of your marriage certificate, the parenting plan for stepchildren and their birth certificates.

Failure to update your information on file may interfere with our ability to process your benefits and provide timely communication of important Plan information.

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## INTRODUCTION: YOUR SPD

The Cement Masons and Plasterers 401(k) Plan (the “Plan”) is a defined contribution retirement plan primarily for individuals performing work covered by Cement Masons Local 528’s collective bargaining agreement. The Plan is funded with both collectively bargained and voluntary member contributions (401(k) contributions).

This is a Summary Plan Description (“SPD”), which is intended to give you a summary of the important features of your 401(k) Plan. It is updated through October 1, 2024. If there are any inconsistencies between this SPD and the Plan Document, the Plan Document will govern. You should not rely on any oral representations or description of the Plan because the written terms of the Plan Document always govern.

## CEMENT MASONS AND PLASTERERS 401(K) PLAN OVERVIEW

|   |  |
|---|--|
| <b>When You Can Participate</b>   | You may begin participating as soon as you begin work in a covered job classification and contributions are paid on your behalf.   |
| <b>Employer Contributions (Bargained Contributions and Associate Agreement Contributions)</b> | Collective bargaining agreements between participating employers and the Cement Masons and Plasterers Local 528 set the bargained contribution rate. Employers may also enter into agreements, called associate agreements, with the Board of Trustees to contribute on behalf of their eligible non-bargaining unit employees.  |
| <b>Your Contributions</b>   | You may elect to make pre-tax contributions, up to Plan and IRS limits. Elective pre-tax contributions are made in \$1 increments per hour, up to \$8/hour. Participants who are 50 years or older may elect \$9 or \$10/hour. If you are a new hire to one of the participating Local Unions, you must complete an Enrollment Form for 401(k) Deferral Contributions within 60 days of your date of hire or wait until the Plans annual open enrollment period. For more information on the timing for open enrollment, please contact the Administration Office. |
| <b>Investment Growth (Tax Deferred and Tax Deferred Until Distributed)</b>                    | You do not pay income taxes on your pre-tax contributions, bargained contributions, or earnings on those funds until you take them from your account as a distribution.  |
| <b>Investment choices</b>   | You can choose between investment options. Log onto <a href="http://MillimanBenefits.com">MillimanBenefits.com</a> for an up-to-date list of investment options.   |



|                              |  |
|------------------------------|--|
| <b>Vesting</b>               | You are always 100% vested in (that is, you own) the value of all contributions to your account and any related earnings.  |
| <b>Withdrawals</b>           | The Plan is primarily a long-term retirement savings program. However, hardship withdrawals of your elected deferral contributions are available in certain circumstances.   |
| <b>Access to Information</b> | <p>For questions about participation, eligibility for benefits or any matter of Plan administration, contact the Administration Office:</p> <p>Welfare &amp; Pension Administration Service, Inc.<br/> 7525 SE 24<sup>TH</sup> Street, Suite 200<br/> Mercer Island, WA 98040<br/> Mailing Address:<br/> PO Box 34203<br/> Seattle, WA 98124-1203<br/> (877) 367-0528</p> <p>Update your personal information (address, phone number, marital status, etc.) with Welfare &amp; Pension Administration Service, Inc. before calling the Milliman Benefits Service Center.</p> <p>You can review your work history hours and contributions at <a href="http://www.cementmasonstrust.com">www.cementmasonstrust.com</a>.</p> <p>For questions about your investment options and Plan account, contact Milliman at:</p> <p>MillimanBenefits.com<br/> or<br/> (866) 767-1212</p> <p>You can review your account balances at MillimanBenefits.com.</p> |

# MANAGING YOUR ACCOUNT

## MILLIMAN BENEFITS WEBSITE

You can take advantage of the resources on **MillimanBenefits.com**. You can find articles, calculators, and videos to help you make the most of your Plan and your retirement. Learn savings basics, explore age-based checklists and use the tools to assess your retirement readiness. To access these resources, click on 'Financial Wellness' at the top of the webpage.

### Security Tips for Using MillimanBenefits.com

Follow these simple tips to safeguard your account information:

- Create a username that's easy for you to remember but difficult for others to guess.
- Change your password on a regular basis.
- Don't use simple words or personal information for your username or password.

The first time you log in, you'll create an 8-digit Distribution PIN that you'll need to use in the future when you're ready to take money out of your account.\*

Keep this PIN in a safe place! And remember, never share your account credentials.

\* Unlike a bank account, distributions from the Plan are limited.

### Access Your Account

- **Website:** Visit **MillimanBenefits.com** (choose English, Spanish or another language) and select "Create an account."
- **Milliman Mobile Benefits App:** Download from the App Store or Google Play (please note that you will need to register your account at **MillimanBenefits.com** before the Milliman mobile app will work effectively).
- **Benefits Service Center:** Call (866) 767-1212 or use Web Chat on **MillimanBenefits.com**. Representatives are available Monday through Friday from 5 a.m. to 5 p.m. Pacific time days that the stock market is open for business.

## CHOOSE YOUR INVESTMENTS

- Review the Annual Fee Disclosure and Fund Sheets at **MillimanBenefits.com** (Account Details > Documents + Forms > General) that highlight the individual options in the Plan.
- To make your elections, log on to **MillimanBenefits.com** and click on Account Details > Investments or call the Milliman Benefits Service Center at (866) 767-1212.
- If you do not make an election, your account will default to the age-appropriate Target Date Retirement Fund based on your expected retirement age of 60 years old.



## CHOOSE AN ELECTIVE DEFERRAL

Decide if you want to make additional contributions (elective deferral) to the Plan.

- To make an elective deferral, complete the Application for 401(k) Deferral Contributions Form during the Plan's annual open enrollment period or your new hire process and return it to the Administration Office. The Administration Office will notify your employer and Local Union of your deferral election so your deferral can be transferred if you are dispatched to a new employer during the year.

## PROTECT YOUR FAMILY: NAME A BENEFICIARY

- To name your beneficiary, update your Trust Enrollment and Beneficiary form and return it to the Administration Office that is listed on the Form. This form can be found at [www.cementmasonstrust.com](http://www.cementmasonstrust.com) See Death Benefits on page 14 for information about what happens to your benefit in the event of your death.

## YOUR QUARTERLY ACCOUNT STATEMENT

Milliman will provide your quarterly retirement plan statement through **MillimanBenefits.com**. You can expect your electronic statements to be available approximately three weeks following the end of each calendar quarter. If you enter your email address on **MillimanBenefits.com**, you will automatically receive a reminder when your statement is available for viewing. At the end of the fourth quarter each year, Milliman will send you a hard copy statement that will reflect your account activity throughout the calendar year.

At any time, you have the right to request and obtain a free paper version of your statement. To do this, log in to your account and go to the Profile icon located at the top right of the screen. Then, choose the Personal Information option. You may also request a paper statement and/or opt out of electronic delivery by contacting the Milliman Benefits Service Center.

## JOINING THE PLAN

### ELIGIBILITY

You begin participating in the Plan after you perform one hour of employment with a Participating Employer under the terms of either: a collective bargaining agreement between the Cement Masons and Plasterers Local 528 and the Associated General Contractors of Western Washington; or an agreement between the Trustees and a Participating Employer that provides for participation in the Plan; or other collective bargaining agreement that provides for participation in the Plan. You are always fully vested in your Account.

It is your responsibility to provide correct information to the Plan upon enrollment, including your name, address, social security number, marriage certificate, designated beneficiary information and other information requested by the Plan.

It is your responsibility to update this information if it changes. **Please notify the Plan immediately if there are any changes in your address or marital status.** The Plan may request additional information to process your or your beneficiary's benefit application.

## **TERMINATION**

You will be considered terminated from the Plan at the end of any twelve (12) month period in which you have no Hours of Service and no contributions have been received in your account. If you are not ready to retire, you may leave your funds in your account, or you may roll them over to a qualified IRA or to another qualified employer plan that accepts your rollover.

You will cease being a participant in the Plan as of the date you have received a complete distribution from your Account.

## **DEDUCTION OF CONTRIBUTIONS**

Each month, your employer will contribute an amount as required under the collective bargaining agreement or associate agreement.

In order to contribute from your wages, you must complete an Application for 401(k) Deferral Contributions Form during the Open Enrollment period or during the new hire process. The form is available any time on the trust website [www.cementmasonstrust.com](http://www.cementmasonstrust.com).

## **MILITARY SERVICE**

If you leave employment for certain periods of military service and are reemployed, you will be eligible to receive service credit and make contributions for those periods of qualified military service in accordance with the rules under the Uniformed Services Employment and Reemployment Rights Act of 1994. You will need to provide the Administration Office with a copy of your honorable discharge.

You should contact the Administration Office at (877) 367-0528 if you have any questions regarding this provision.

## **VESTING**

Vesting is a form of ownership. You are always 100% vested in (that is, you own) the value of all contributions to your account and any related earnings.

## **CONTRIBUTIONS**

The Administration Office receives your contributions from your employer on a monthly basis and then submits them to Milliman. Milliman, the recordkeeper, keeps track of all the contributions made on your behalf in an individual account.

## **BARGAINED CONTRIBUTIONS AND ASSOCIATE AGREEMENT CONTRIBUTIONS**

The collective bargaining agreement between your participating employer and participating Local Union establishes your employer's contribution rate. You may obtain a list of the contributing employers and a copy of the collective bargaining agreements by submitting a written request to the Administration Office or you may also request the information from your Local Union.

Your employer may also enter into an agreement with the Board of Trustees called an associate agreement, permitting contributions to be made on behalf of non-bargaining unit employees. The Associate Agreement will establish your employer's contribution rate for the non-bargaining unit employees.

## YOUR CONTRIBUTIONS

### **Your Pre-Tax Contributions**

You may contribute a portion of your wages, up to \$8 per hour in \$1 increments, to the Plan by payroll deduction. You can only change your hourly wage deferral annually during open enrollment with one exception—you can change your hourly wage deferral election to \$0 at any time.

Pre-tax contributions are deducted from your pay before income taxes are calculated. This reduces your current taxable income, so you pay less federal tax in the present. You pay income taxes on your pre-tax contributions (and any related earnings) when you withdraw the monies from your account in retirement.

### **Catch-Up Contributions**

If you are at least age 50 by the end of the year, you can contribute up to \$10 per hour in \$1 increments. Catch-up contributions are invested the same as other contributions; you just get higher annual contribution limits after you reach age 50.

### **Rollover Contributions**

If you participated in another qualified retirement plan, you may be able to transfer, or roll over, some or all of your accounts. The Plan accepts eligible rollovers directly from another qualified retirement plan that meets certain legal requirements. Please contact the Administration Office for more information.

## LIMITS ON CONTRIBUTIONS

Federal law limits the amount of pay you may contribute to this type of Plan.

- **Contribution Limit:** The IRS imposes a limit on the total pre-tax contributions you may make for any calendar year (for 2024, \$23,000 or \$30,500 if you are age 50 or older).
- **Limits Based on Contribution Test as Required by the IRS:** The IRS requires an annual contribution test to make sure that participants at all pay levels benefit from the Plan on a relatively similar basis. The Plan may also set limits to ensure the Plan meets certain IRS requirements.
- **Annual Contribution Limits:** Federal law limits the annual amount that may be allocated to your individual accounts (for 2024, lesser of \$69,000 or 100% of compensation or \$76,500 including Catch-Up contributions). Rollover contributions are not included in this annual contribution limitation.
- **Improperly Made Contributions:** If the Plan determines that contributions were improperly made by an Employer, the contributions will be refunded to either the Employer and/or Participant, depending on the nature of the contributions.

You are responsible for keeping track of the ongoing total of your contributions to the Plan each year. If your contributions exceed the annual maximums, the Plan will return any excess to you (adjusted for earnings and losses).

## INVESTMENT OPTIONS

You can direct your contributions in 1% increments to one or more of the Plan's investment options. The Trustees may change the investment options over time. The Fund Sheets at **MillimanBenefits.com** (Account Details > Documents + Forms > General) explain these options and their investment objectives.

If you do not direct your contributions, we will invest your contributions in a targeted portfolio based on an expected retirement age of 60. Once the recordkeeper receives your form, we will direct future contributions to your investment election. To transfer your contributions from one investment fund to another, log on to **MillimanBenefits.com**.

## WITHDRAWALS AND DISTRIBUTIONS

### RETIREMENT BENEFITS

You can receive benefits under this Plan at:

- Early Retirement - any time you retire on or after your 55th birthday;
- Normal Retirement– the first of the month coinciding with or following your 63rd birthday;
- Late Retirement– any time you retire after your 63rd birthday;
- Termination - No contributions made or required to be made to the Trust (including reciprocity) in the preceding twelve months;
- Disability - Receiving Social Security Disability (SSD) benefits under Title II of the Social Security Act or commences Disability Retirement from the Cement Masons and Plasterers Retirement Plan;
- Hardship – Satisfaction of plan eligibility criteria to qualify for a hardship distribution.
- Death - Payments following your death will be paid to your beneficiary.

The Internal Revenue Code requires payment of your benefits no later than April 1 following the calendar year in which you attain age 72, if you were born July 1, 1949 through and including December 31, 1950. If you were born on or after January 1, 1951, the Internal Revenue Code requires payment of your benefits no later than April 1 following the calendar year in which you attain 73. See “Minimum Required Distribution Penalty” on page 16.

### APPLYING FOR BENEFITS WHEN YOU RETIRE

Benefits are paid based on the balance in your individual account. To apply for a benefit, call the Administration Office at (877) 367-0528 or go online to [www.cementmasonstrust.com](http://www.cementmasonstrust.com) to obtain an application. Return it at least 45 days before you intend to retire.

The Plan could delay payment of benefits if you:

- Fail to file a completed application or other forms required before the date you want your benefits to begin.

- Fail to provide information or give false information to verify disability, age, beneficiary information, or other vital information.
- Make any false statements to the Administration Office, recordkeeper, Board of Trustees or any other Plan adviser regarding the payment of benefits or other issues related to as well the Plan.
- Have in place a Qualified Domestic Relations Order (QDRO) to your spouse, your former spouse, or for support of your children or other dependent. Please contact the Administration Office for more information.

If the Plan denies your application for benefits, you or your beneficiary can file an appeal. See Appeal Procedures on page 17 or contact the Administration Office for more information.

If the Plan provides benefits based on the reasonable reliance on the documents and statements provided by the Participant or Beneficiary, the Plan will be relieved of any further obligation to provide benefits, even if the benefits were paid to an incorrect recipient.

## FINANCIAL HARDSHIP WITHDRAWALS

The IRS has specific rules about financial hardship withdrawals. The Plan allows you to take one financial hardship withdrawal in a twelve-month period and only from your elective pre-tax contributions. You must provide acceptable proof that you have a financial hardship before we can approve your withdrawal. To qualify for a financial hardship withdrawal under IRS rules, you must:

- Need the money for an immediate and severe financial need (see reasons below)
- You must have obtained all distributions, other than hardship, under the Plan and other plans of deferred compensation maintained by your employer; and,
- Withdraw only enough money necessary to meet this need (including any federal, state and local taxes and penalties).

You may request a financial hardship withdrawal for the following reasons:

- Purchase your primary home (not including mortgage payments);
- Prevent eviction from or foreclosure on your primary home;
- Pay higher-education tuition and room and board for the next 12 months for you, your spouse, dependent children or dependents;
- Pay tax-deductible medical expenses for you, your spouse or your dependent children (if not paid by insurance);
- Pay for funeral expenses for a family member; or
- Pay expenses related to repair your primary home that would qualify for the casualty deduction;
- Pay expenses or losses (including loss of income) incurred on account of a disaster declared by the Federal Emergency Management Administration (FEMA), provided your principal residence or place of employment at the time of the declaration was in the disaster area.

## PAYMENT OPTIONS

If your account balance is:

- **\$7,000 or less**, we will pay the entire benefit in a single lump sum.
- **Greater than \$7,000** you may elect one of the following forms of payment (subject to your spouse's consent if applicable):
  - Lump Sum Option – Your account is paid in full in a single sum, in cash;
  - Installment Option - Your account is paid in designated equal installments over a designated period of years with the balance paid on the final installment. Once elected, you may only change or cancel this distribution option once per Calendar Year upon 30 days prior written notice. Undistributed amounts in your account will continue to be credited or charged with the pro rata share of the Trust's earnings and expenses, respectively. In the event of your death prior to complete distribution of your Account, the undistributed portion of your Account shall be paid to your Beneficiary;
  - Partial Distribution Option – You may elect to receive part of your account and defer receipt of the remainder. The amount of the partial distribution, prior to the calculation of any federal income tax or penalty, must be at least \$1,000
- **Minimum Required Distribution:** Your account will be paid in annual installments equal to the minimum required distribution for each calendar year beginning the later of the year you:
  - Elect this payment option,
  - Attain age 72, if you were born December 31, 1950 or earlier
  - Attain age 73, if you were born January 1, 1951 or later.

If you elect the Minimum Required Distribution option, payments will be made no later than December 31 each year. If you make no election, payments will start automatically no later than April 1 of the year after you reach age 72 or 73 (depending on your birth date). In any given year, you may choose a larger installment or to receive your entire remaining account balance in a single lump sum.

## DEATH BENEFITS

If you die before you retire or fully withdraw the balance in your individual account and your account balance is \$7,000 or less, your surviving spouse or beneficiary will receive a lump sum distribution. If your accounts balance is more than \$7,000, your surviving spouse or beneficiary will receive a benefit based on your account balance as of the date of distribution. Your surviving spouse is entitled to the full amount of your vested benefit as of the date of your death. Payment will be made in the form of payment elected by your surviving spouse. If you are not married and have more than one beneficiary, only a lump sum payment is available.

If you die without naming a beneficiary, the Plan will pay your account value as follows:

- To your surviving spouse if you are married;
- To the persons designated in writing as your beneficiaries under the Cement Masons and Plasterers Retirement Plan;

- To the persons designated in writing as your beneficiaries under the Cement Masons and Plasterers Health and Welfare Plan
- To your natural born and adopted children;
- To your natural mother and father, or survivor of them;
- To your beneficiaries named in your Last Will and Testament if admitted to Probate;
- To your estate; or
- If none of the individuals above survive, and there is no probate, 90 days after the death of the Participant, interest of the Participant and any death benefit shall lapse and the monies transferred to the Plan Reserve Account.

## INFORMATION ABOUT YOUR ACCOUNT

You could see a loss in the value of your account if:

- You invest in or have losses, such as depreciation in their market value, and
- Your share of Plan expenses exceeds your contributions and earnings.

Your account could decline to zero if you work only a few hours a year and your share of the Plan's expenses exceeds the combination of the contributions paid on your behalf and the net investment gains credited to your account.

If you have reached normal retirement age of 63 and the Plan is unable to locate you despite reasonable efforts and neither you nor any beneficiary submits an application for benefits for a period of five years after contributions are last paid on your behalf, your account may be closed and the balance used to help pay the Plan's expenses. If the Participant or Beneficiary files an application after the forfeiture, and is entitled to payment, your account will be reinstated, and payment shall be made in the amount equal to the amount in the account as of the date of the forfeiture.

Your payments may be delayed until all your paperwork is received in good order. Your payments will be processed as soon as administratively possible. Until then, your account is subject to market risk.

## TAX INFORMATION

### DEFERRAL OF TAXES

You don't pay taxes on the contributions you and/or your employer make to your account, as well as your investment earnings, until you take the money out of your account. That means money that might otherwise go to paying current taxes can remain invested for long-term potential growth. Distributions from your account are taxable when you receive your benefits. When taxes are due and how much tax is owed will depend on when and how you have the money paid to you and on the tax laws in effect at the time.

### 10% PENALTY

If you receive an early distribution, you may owe a 10% non-deductible IRS penalty tax. Exceptions include distributions if contributions cease to be made at age 55 or older, or due to disability or death. For example, if you receive a lump sum distribution when you terminate employment at age



45, the 10% penalty applies. This tax is in addition to any other income taxes payable on a distribution or withdrawal.

## **20% TAX WITHHOLDING**

Federal law requires the Plan to withhold 20% for taxes on benefits paid directly to you. The Plan will send the 20% to the IRS as income tax withholding for the current year. If you have questions, consult the IRS or a tax advisor.

## **MINIMUM REQUIRED DISTRIBUTION PENALTY**

If you do not begin receiving your benefits by April 1 of the year following the year you attain age 72 (if your birth date is July 1, 1949 through and including December 31, 1950) or age 73 (if your birth date is January 1, 1951 or later), or retire, whichever occurs later, the IRS may assess a penalty. For example, if your minimum required distribution is \$7,000 and you do not take your benefit, the IRS may assess a 25% penalty amounting to \$1,875.

## **ROLLOVERS AND TAX WITHHOLDING RULES**

You may roll over your distribution in two ways. You may have the money:

1. Paid as a direct rollover to an individual retirement account (IRA) or another qualified employer plan or
2. Paid to you.

Your choice will affect the tax you owe.

### **Direct Rollover**

If you choose a direct rollover, your payment from the Plan:

- Will not be taxed in the current year and no income tax will be withheld, and
- Must be made directly to your eligible traditional IRA or, if you choose, to another qualified employer plan that accepts your rollover, and
- Will be taxed when you take it out of the IRA or employer plan.

### **Paid Directly to You**

If you choose to have the benefits paid directly to you:

- You will receive 80% of the lump sum or installment amount you elect, and
- The remaining 20% is automatically sent to the IRS for income tax withholding as required by law. If you decide later to roll the 80% you received into an IRA or other eligible plan, the 20% withholding for taxes is still payable to the IRS and cannot be returned to you. Unless you roll over your payment within 60 days of the distribution, it will be taxed in the current year. You may be able to use special tax rules that could reduce the tax you owe. If you receive the payment before the Plan's early retirement age of 55, you also may have to pay an additional 10% penalty. For more information, consult your tax/financial advisor and see the Special Tax Notice, which is part of the Election of Benefits Form and available at [www.cementmasonstrust.com](http://www.cementmasonstrust.com).

## PLAN ADMINISTRATION

This section provides information about special situations that may affect your Plan benefits.

### QUALIFIED DOMESTIC RELATIONS ORDERS (QDROS)

The Plan recognizes QDROs with respect to the assignment of plan benefits incident to legal separation or divorce. In general, a QDRO is a court order, judgment or decree that:

- Is made pursuant to a state domestic relations law (including community property laws)
- Relates to the provision of child support, alimony payments or marital property rights, and
- Creates or recognizes an alternate payee's right to receive all or a portion of a participant's benefit under a retirement plan.

If specified by the court order, a distribution may be made from the 401(k) Plan to the alternate payee before the participant qualifies to receive retirement benefits.

Court orders requiring a division of benefits under the 401(k) Plan must be sent to the Plan Administrator for a determination of whether the court order is a QDRO.

### YOUR BENEFIT CANNOT BE ASSIGNED

You may not borrow against your account balance or use it as security or collateral for a loan or otherwise transfer your rights. Your account is exempt from claims of creditors, such as garnishments or executions, except for certain divorce and child support orders as discussed above and certain claims that the IRS may assert.

### TERMINATION OF THE PLAN

The Trust Agreement governing the Plan gives the Board of Trustees the authority to terminate the Plan, although they do not currently intend to do so. The Trust Agreement also provides that the Plan will terminate on the expiration of all collective bargaining agreements and associate agreements requiring contributions to the Plan.

If the Plan terminates, your benefits and the balance in your account will remain fully vested but no further bargained or participant contributions will be received. The Trustees will wind up the affairs of the Plan, and any surplus funds remaining in the Plan after the payment of expenses will be allocated among the participants and beneficiaries in accordance with the Internal Revenue Code and ERISA.

### APPEAL PROCEDURES

You may ask the Trustees to conduct a hearing if:

- You (or your beneficiary) apply for benefits, which are ruled ineligible through a formal denial letter.
- You believe you did not receive the full amount of benefits to which you were entitled.
- You are otherwise adversely affected by any action of the Trustees.

You must make your request in writing to the Administration Office within 60 days after you are apprised of, or learn of, the adverse decision. The Trustees shall then conduct an appeals hearing at

which you or your beneficiary may present your position and any evidence supporting your claim. An attorney or other representative of your choice may represent you or your beneficiary at any hearing. Following the hearing, the Trustees will issue a written decision affirming, modifying or setting aside the former action.

If you or your beneficiary are dissatisfied with the final written decision of the Trustees, you may bring a civil action under ERISA, 29 U.S.C. §1132(a), within 180 days of the issuance of the written decision. Questions for the Court shall be whether: (1) the Trustees were in error on an issue of law, (2) they acted arbitrarily or capriciously in the exercise of their discretion, or (3) substantial evidence supported their findings of fact. The decision of the Court shall be final and binding upon the Trustees, the appealing party and all other parties whose interests are affected.

## PLAN EXPENSES

The expenses of administering the Plan may be assessed to individual accounts. You can receive additional information on the expenses and fees charged to your individual account from the Milliman Benefits Service Center.

## IMPORTANT PLAN INFORMATION

This Plan is a defined contribution plan with a profit-sharing component and 401(k) feature. Therefore, the federal Pension Benefit Guaranty Corporation (PBGC) does not insure it. The PBGC insures only defined benefit pension plans.

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| <b>Plan Name</b>                        | Cement Masons and Plasterers 401(k) Plan   |
| <b>Plan Sponsor and Administration</b>  | Joint labor management Board of Trustees appointed by Cement Masons and Plasterers Local 528 and the Associated General Contractors of Washington and the Northwest Wall & Ceiling Contractors Association   |
| <b>Type of Plan</b>                     | The Plan is a collectively bargained multi-employer 401(k) plan. For purposes of the Internal Revenue Code, the Plan is considered a profit sharing plan.  |
| <b>Plan Year</b>                        | January 1 – December 31  |
| <b>EIN</b>                              | 88-3678189   |
| <b>Plan ID Number</b>                   | 002  |
| <b>Collective Bargaining Agreements</b> | Several collective bargaining Agreements between contributing employers and the Cement Masons and Plasterers Local Unions maintain this Plan. To receive a copy of your collective bargaining agreement, write to the Administration Office or ask your Local Union. |

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| <p><b>Plan Administrator<br/>(Administration Office)</b></p>      | <p>Welfare &amp; Pension Administration Service, Inc.<br/> Street Address:<br/> 7525 SE 24<sup>TH</sup> Street, Suite 200<br/> Mercer Island, WA 98040</p> <p>Mailing Address:<br/> PO Box 34203<br/> Seattle, WA 98124-1203<br/> (877) 367-0528</p>   |
| <p><b>Plan Trustees*</b></p>                                      | <p>Board of Trustees of the Cement Masons and Plasterers 401(k)</p>  |
| <p><b>Persons Designated for<br/>Service of Legal Process</b></p> | <p><b>Welfare &amp; Pension Administration Service, Inc.</b><br/> 7525 SE 24<sup>TH</sup> Street, Ste 200<br/> Mercer Island, WA 98040</p> <p><b>Frank Morales</b><br/> Barlow Coughran Morales &amp; Josephson, P.S.<br/> 1325 Fourth Ave, Ste 910<br/> Seattle, WA 98101</p> <p><b><u>Board of Trustees</u></b></p> <p>Eric Coffelt (Chairman)<br/> OPCMIA Local Union No. 528<br/> 6362 6<sup>TH</sup> Ave S<br/> Seattle, WA 98108</p> <p>Garrett Condel (Secretary)<br/> Sellen Construction<br/> PO Box 9970<br/> Seattle, WA 98109</p> <p>John Salinas<br/> Salinas Construction, Inc.<br/> 7804 40<sup>TH</sup> Ave W<br/> Mukilteo, WA 98275</p> <p>Frank Benish<br/> PO Box 103<br/> Nine Mile Falls, WA 99026</p> |

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|  | <p>Andrew Ledbetter<br/>AGC of Washington<br/>1200 Westlake Ave N, Ste 301<br/>Seattle, WA 98109</p> <p>Edward Case<br/>1817 Oakes Ave<br/>Everett, WA 98201</p> <p>Patrick McQueen<br/>PCL Construction Services<br/>13920 SE Eastgate Way, Ste 400<br/>Bellevue, WA 98005</p> <p>Justin Palachuk<br/>Cement Masons And Plasterers Local Union No. 528<br/>6362 6<sup>TH</sup> Ave S<br/>Seattle, WA 98108</p> <p>Cory Yalowicki<br/>Superior Stucco Services, Inc.<br/>PO Box 967<br/>Bothell, WA 98041</p> <p>Travis Metzger<br/>Cement Masons And Plasterers Local Union No. 528<br/>6362 6<sup>TH</sup> Ave S<br/>Seattle, WA 98108</p> <p>Raymond Dumas<br/>Cement Masons And Plasterers Local Union No. 528<br/>6362 6<sup>TH</sup> Ave S<br/>Seattle, WA 98108</p> <p>Don Malone<br/>Malone Construction LLC<br/>PO Box 874196<br/>Wasilla, AK 99687</p> |
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| <b>Plan Recordkeeper</b> | <p>Milliman Benefits Service Center<br/>         PO Box 601524<br/>         Dallas, TX 75360-1524<br/>         (866) 767-1212<br/> <br/>         MillimanBenefits.com</p>  |
| <b>Plan Documents</b>    | <p>This booklet provides a summary of the major provisions of the Plan. If the Plan document and this booklet are inconsistent, the Plan document will govern.</p> <p>Copies of the Plan document and any other materials pertaining to the Plan are available for review, without charge. If you wish to see any of these documents, please contact the Administration Office. Upon written request, copies of these documents will be provided. However, the Trustees may make a reasonable charge for the copies; the Administration Office upon request will notify you of the charge for specific documents so you can find out the cost before ordering. The Administration Office will also make documents available for review at certain worksites and union halls upon request.</p>  |
| <b>Plan Funding</b>      | <p>The Board of Trustees administers the Plan in accordance with the Plan documents. Plan assets are invested in accordance with participant elections as described in the investment materials, including the prospectuses for each investment option (available on the Plan website and from the Plan recordkeeper). If a participant doesn't designate an investment, their Account is invested in a default fund, known as the qualified default investment alternative (QDIA). As of the date this SPD is being issued, the QDIA is the Plan's target date fund line-up, based on the participant's expected retirement of 60 years of age.</p> <p>The Plan is funded by employer contributions determined in the collective bargaining agreements between your employer and the union, or in accordance with associate agreements between your employer and the Trustees. These agreements may also provide for voluntary pre-tax contributions by participants.</p> |

\*Care of Welfare and Pension Administration Services, Inc.

## YOUR RIGHTS UNDER ERISA

As a participant in the Cement Masons & Plasterers 401(k) Plan you are entitled to certain rights and protections under ERISA, as amended. ERISA provides that all Plan participants will be entitled to:

### RECEIVE INFORMATION ABOUT PLAN BENEFITS

- You may examine, without charge, at the Administration Office and at other specified locations, such as work sites and union halls, all documents governing the Plan, including insurance contracts and collective bargaining or associate agreements, if any, and a copy of the latest annual report (Form 5500) filed by the Plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.
- You may obtain, upon written request to the Trustees, copies of documents governing operation of the Plan, including insurance contracts and collective bargaining or associate agreements, if any, copies of the latest annual report (Form 5500) and an updated Summary Plan Description. The Trustees may make a reasonable charge for copies.
- You may receive a summary of the Plan's financial report. The Trustees are required by law to furnish each participant with a copy of this summary annual report.
- You may obtain a statement telling you the value of your vested account(s) in the Plan. This statement must be requested in writing and is not required to be given more than once every 12 months. The Plan must provide this statement free of charge.

### PRUDENT ACTIONS BY PLAN FIDUCIARIES

In addition to creating rights for Plan participants, ERISA imposes duties on the people who operate the Plan. The people responsible for exercising discretion in the administration and operation of the Plan are called fiduciaries. These individuals or entities have an obligation to administer the Plan prudently and to act in the interest of the Plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you to prevent you from receiving benefits or exercising your rights under ERISA.

### ENFORCE YOUR RIGHTS

If you believe your ERISA rights have been violated, you may file suit.

**Improper denial of benefits:** If your claim for a benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge and to appeal any denial, all within certain time schedules. If your claim is denied, you will receive a written explanation of the reasons for the denial. After you exhaust the Plan's claim appeal procedure, you may file suit in state or federal court. In addition, if you disagree with the Plan's decision or lack thereof concerning the qualified status of a domestic relations order, you may file suit in federal court.

**Failure to provide materials:** If you request a copy of Plan documents or the latest annual report from the Plan and do not receive them within 30 days, you may file suit in federal court. In such a case, the court may require the Trustees to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Trustees.



**Misuse of Plan funds:** If it should happen that Plan fiduciaries misuse the Plan's money or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in federal court.

The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

## **ASSISTANCE WITH YOUR QUESTIONS**

If you have any questions about the Plan, contact the Administration Office. If you have any questions about this statement, your rights under ERISA, or you need assistance in obtaining documents from the Administration Office, contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or contact the Division of Technical Assistance and Inquiries of the Employee Benefits Security Administration,

U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. You also may obtain certain publications about your rights and responsibilities under ERISA by calling the publication hotline of the Employee Benefits Security Administration at (866) 444-3272 or online at <https://www.dol.gov/agencies/ebsa/>.