

**AMENDMENT NUMBER TWO
TO THE
SOUTHERN NEVADA CULINARY AND BARTENDERS PENSION PLAN
(Restated Effective December 31, 2014)**

The Southern Nevada Culinary and Bartenders Pension Plan is amended as follows:

Section 4.03 of the Southern Nevada Culinary and Bartenders Pension Plan is amended in its entirety, effective as of January 1, 2016, to read as follows:

4.03 **Amount of Regular Pension.** The amount of Regular Pension shall be determined by the sum of (a) and (b) below:

(a) Prior to January 1, 1976 -

- (1) **Past Service Benefit** - \$11.00 per month for each full year (1400 hours) of Pension Credit accumulated as of January 1, 1971, and,
- (2) **Future Service Benefit** - \$11.00 per month for each full year (1400 hours) of Pension Credit earned during the period January 1, 1971, through December 31, 1975.

(b) January 1, 1976, and after -

Future Service Benefit.

- (1) Effective for retirements commencing on or after January 1, 1992 and prior to January 1, 1998, an Employee's Future Service Benefit will be determined in accordance with the following schedule:

Hours of Service In Covered Employment During the Plan Year <u>(as defined In Section 2.15)</u>	Monthly Accumulated <u>Benefit</u>
2000 and over	\$31.05
1900-1999	29.51
1800-1899	27.93
1700-1799	26.41
1600-1699	24.85
1500-1599	23.30
1400-1499	21.74
1300-1399	20.19
1200-1299	18.62
1100-1199	17.06
1000-1099	15.53
900-999	13.98

800-899	12.41
700-799	10.88
600-699	9.30
500-599	7.77
400-499	6.20
300-399	4.64
Less than 300	None

- (2) Effective for retirements commencing on or after January 1, 1998 and prior to January 1, 1999, an Employee's Future Service Benefit will be determined in accordance with the following schedule:

Hours of Service In Covered Employment During the Plan Year <u>(as defined In Section 2.15)</u>	<u>Monthly Accumulated Benefit</u>
2000 and over	\$32.60
1900-1999	30.97
1800-1899	29.34
1700-1799	27.71
1600-1699	26.08
1500-1599	24.45
1400-1499	22.82
1300-1399	21.19
1200-1299	19.56
1100-1199	17.93
1000-1099	16.30
900-999	14.67
800-899	13.04
700-799	11.41
600-699	9.78
500-599	8.15
400-499	6.52
300-399	4.89
Less than 300	None

- (3) Effective for retirements commencing on or after January 1, 1999 and prior to January 1, 2016, an Employee's Future Service Benefit will be determined in accordance with the following schedule:

Hours of Service In Covered Employment During the Plan Year <u>(as defined In Section 2.15)</u>	Monthly Accumulated <u>Benefit</u>
2000 and over	\$34.39
1900-1999	32.67
1800-1899	30.95
1700-1799	29.23
1600-1699	27.51
1500-1599	25.80
1400-1499	24.08
1300-1399	22.36
1200-1299	20.64
1100-1199	18.92
1000-1099	17.20
900-999	15.48
800-899	13.76
700-799	12.04
600-699	10.32
500-599	8.60
400-499	6.88
300-399	5.16
Less than 300	None

(4) Effective for retirements commencing on or after January 1, 2016, an Employee's Future Service Benefit will be determined in accordance with the following:

(i) For Hours of Service in Covered Employment on or after January 1, 2016, an Employee's Future Service Benefit will be determined in accordance with the following schedule:

Hours of Service In Covered Employment During the Plan Year <u>(as defined In Section 2.15)</u>	Monthly Accumulated <u>Benefit</u>
2000 and over	\$37.83
1900-1999	35.94
1800-1899	34.05
1700-1799	32.16
1600-1699	30.27
1500-1599	28.38
1400-1499	26.49

1300-1399	24.60
1200-1299	22.71
1100-1199	20.82
1000-1099	18.92
900-999	17.03
800-899	15.14
700-799	13.25
600-699	11.36
500-599	9.46
400-499	7.57
300-399	5.68
Less than 300	None

(ii) For Hours of Service in Covered Employment prior to January 1, 2016, an Employee's Future Service Benefit will be determined as follows:

(a) Retroactive Increase. For any Employee who (1) worked at least 300 Hours of Service in Covered Employment in 2016 and (2) did not commence benefits prior to January 1, 2016, the Future Service Benefit for the period commencing January 1, 1976 shall be increased in accordance with the schedule set forth in Section 4.03(b)(4)(i) above. Future Service Benefits for Hours of Service in Covered Employment on or after January 1, 1971 and prior to January 1, 1976 shall continue to be determined in accordance with Section 4.03(a)(2) above.

(b) No Retroactive Increase. For any Employee who either (1) worked less than 300 Hours of Service in Covered Employment in 2016 or (2) commenced benefits prior to January 1, 2016, the Future Service Benefit for the period commencing January 1, 1976 will continue to be determined in accordance with the schedule set forth in Section 4.03(b)(3).

(c) 2016 Retirees. Notwithstanding anything in this Section 4.03(b)(4)(ii) to the contrary, for any Employee who commenced benefits in 2016 and worked at least 300 Hours of Service in Covered Employment in either 2015 or 2016, the Future Service Benefit shall be increased as provided in Section 4.03(b)(4)(ii)(a) above.

(c) **Minimum Pension.** Notwithstanding the foregoing, all Employees who become eligible for a Regular or Disability Pension on and after January 1, 1994 shall be entitled to receive a minimum pension of not less than \$175.00 per month.

Employees who elect to receive an Early Pension shall not be entitled to the minimum pension, and any Employee who receives an Early Pension and returns to Covered Employment shall not be entitled to the minimum pension at their Regular Retirement Date.

Section 5.01 of the Southern Nevada Culinary and Bartenders Pension Plan is amended in its entirety, effective as of January 1, 2017, to read as follows:

5.01 **Total and Permanent Disability Defined.** As used in this Article, the term “total and permanent disability” shall mean:

- (a) The inability to engage in any substantial gainful activity in the hotel, restaurant, and bartending industry by reason of any medically determinable, physical impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than twelve months, or “blindness” which shall mean central visual acuity of 20/200 or less, in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees shall be considered for purposes of this paragraph as having a central visual acuity of 20/200 or less.

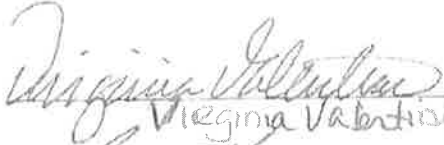
Effective commencing May 1, 1988, and solely with respect to Employees whose Date of Disability (as that term is defined in Section 5.03 (a) of this Article) occurs on or after such date, the term “substantial gainful activity in the hotel, restaurant and bartending industry” shall exclude employment in the job classifications of room service dispatcher, room inspector and cashier, provided that the Employee’s usual and customary employment was not one of those enumerated classifications. Employees whose Date of Disability occurs prior to the above referenced effective date shall continue to have their entitlement to Disability Pension benefits determined under the original rules.

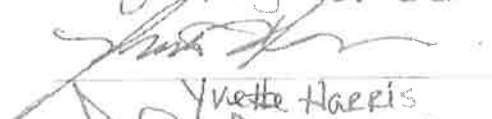
- (b) A “total and permanent disability” may be caused by or result from any bodily injury or disease, either occupational or nonoccupational in cause, but excludes any disabilities resulting from service in the armed forces of any country unless the Employee first becomes totally and permanently disabled after he has accumulated at least five years of Credited Service following his separation from service in the armed forces.
- (c) The term “total and permanent disability” excludes any condition relating to any intentionally self-inflicted injury. Any disability occurring prior to January 1, 1971, from any cause, is also excluded. Solely with respect to Employees whose Date of Disability (as that term is defined in Section 5.03 (a) of this Article) occurs prior to January 1, 2017, the term “total and permanent disability” shall also exclude any mental or emotional illness or condition preventing the Participant from any substantial gainful employment, as well as any condition relating to alcoholism or drug abuse. With respect to Dates of Disability that


occur on or after January 1, 2017, the exclusions in the preceding sentence shall no longer apply.

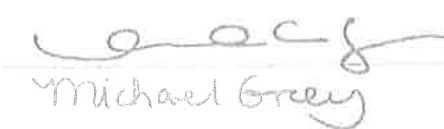
Adopted on February 27, 2017 in Las Vegas, Nevada.

Management Trustees


Virginia Valentine


Yvette Harris

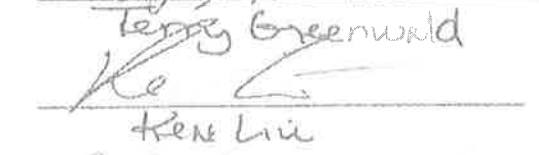

Rick Darnold

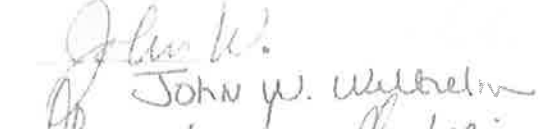

Michael Greig

Union Trustees


D. Taylor


Terry Greenwald


Rene Liu


John W. Wilhelm


Geoconda Arguello-Kim