

## **AMENDMENT 2**

The AGREEMENT AND DECLARATION OF TRUST of the AMALGAMATED TRANSIT UNION LOCAL 1596 PENSION PLAN, as amended and restated on May 24, 2011 is hereby amended as follows:

1. Section 1.10 is hereby amended as follows:

### **Article I, Definitions, Section 1.10 - Compensation,**

1.10 *Compensation* shall mean the gross earnings from covered employment of an Employee, including all regular hours, overtime, paid vacation, sick leave and leave of absence. Notwithstanding the preceding sentence, effective October 1, 2013, compensation shall exclude overtime in excess of three hundred hours (300) per year as well as payments for unused accrued sick and annual leave; provided, the compensation of any Participant employed on October 1, 2013 shall include payment for all overtime, unused accrued sick and annual leave up to the total number of hours of overtime, unused sick and annual leave accrued as of January 1, 2013. Compensation shall not include (a) Employer contributions to this Trust, (b) any contributions or payments to any trust, fund or insurance plan to provide health, death or other fringe benefits to or on behalf of a Participant.

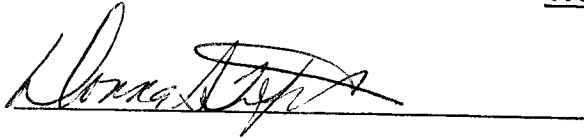
If an Employee becomes disabled as a result of injury or illness arising in the course of employment, he shall be deemed to receive compensation from covered employment during such period of disability up to one year for any such injury or illness, provided that the Employee or his Beneficiary, on his behalf, makes the Employee contributions required under section 3.05.

EXCEPT AS HEREIN AMENDED, THE AMALGAMATED TRANSIT UNION LOCAL 1596 PENSION PLAN AGREEMENT AND DECLARATION OF TRUST, RESTATED MAY 24, 2011, SHALL REMAIN IN FULL FORCE AND EFFECT.

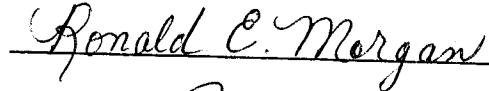
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IN WITNESS WHEREOF, the Board of Trustees has caused this Amendment #2 to the Restated Pension Plan to be ADOPTED this 20<sup>th</sup> day of August, 2013, to be effective as of January 1, 2013.

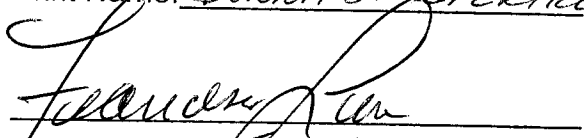
**TRUSTEES:**



Print Name: DONNA S. JEFERTILLOR



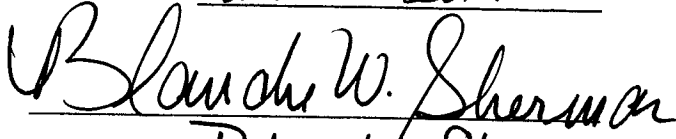
Print Name: RONALD E. MORGAN



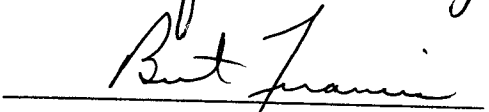
Print Name: FRANK LUNA



Print Name: TOM LAJINS



Print Name: BLANCHE SHERMAN



Print Name: BERT FRANCIS