

PLAN AMENDMENT FOR
JUNIATA COLLEGE RETIREMENT PLAN

WHEREAS, Juniata College (“Employer”) established the Juniata College Retirement Plan, as a 403(b) plan for the benefit of its employees (“Plan”) by executing an adoption agreement, as amended and restated January 1, 2019 (“Adoption Agreement”); and

WHEREAS, pursuant to the Plan, for each plan year, the Employer will contribute 10% of an employee’s compensation to the Plan if (a) the employee makes a mandatory employee contribution to the Plan, (b) the employee performs 1,000 hours of service in a plan year; and (c) the employee is employed on the last day of the plan year (“Employer Contribution”); and

WHEREAS, the Employer is subject to a collective bargaining agreement under which the Employer agreed to contribute 10% of an employee’s compensation to the Plan, provided the employee is a member of a bargaining unit subject to the collective bargaining agreement (“Collective Bargaining Employees”); and

WHEREAS, on March 11, 2020, the World Health Organization declared the outbreak of the 2019 novel coronavirus (“COVID-19”) as a pandemic; on March 13, 2020, the President of the United States declared a national emergency as a result of COVID-19; and on March 13, 2020, Governor Wolf issued an order closing all colleges in Pennsylvania effective March 15, 2020 as a result of COVID-19 (“Closure”); and

WHEREAS, as a result of COVID-19 and the Closure, the Employer has been significantly harmed financially; and

WHEREAS, as a result of COVID-19 and the Closure, the employer determined that it is necessary to suspend the Employer Contribution to the Plan on behalf non-Collective Bargaining Employees until January 1, 2021, and notified Plan participants in May of such cessation; and

WHEREAS, Section 9.02(A)(1) of the Plan permits the Employer to make changes to elective provisions of the Plan’s Adoption Agreement;

NOW THEREFORE, the Plan is amended as follows:

1. Section 18(e) shall be amended to read as follows:

Employer Contribution. For each Plan Year, the Employer will make the following Nonelective Contribution to each Participant who makes a Mandatory Employee Contribution:

- (1) Percentage of Compensation. An amount equal to 10% of such Employee’s Compensation. Notwithstanding the previous sentence, from June 1, 2020 until January 1, 2021, an amount equal to 0% of such Employee’s Compensation if the Employee is a non-Collective Bargaining Employee. From June 1, 2020 until January 1, 2021, an amount equal to 10% of such Employee’s Compensation for

Collective Bargaining Employees if required by the respective collective bargaining agreement, otherwise 0%.

2. In all other respects the Plan shall remain as written.
3. This Amendment shall be effective for payrolls processed after June 9, 2020.

Date: June 9, 2020

Juniata College
