

**AMENDMENT
TO THE
PENSION PLAN FOR CLERGYMEN AND LAY EMPLOYEES
OF THE GREEK ORTHODOX ARCHDIOCESE
OF AMERICA**

This sets forth an Amendment to The Pension Plan for Clergymen and Lay Employees of the Greek Orthodox Archdiocese of America (“Plan”), as restated effective January 1, 2017 and amended to date. Effective January 1, 2021, the Plan is amended as set forth below.

1. The first paragraph of Section 1.11 of the Plan is amended by adding the following language at the end thereof:

For a Participant who is a member of the Clergy, Compensation shall include the amount paid by such Participant in SECA taxes as well as Medicare taxes with respect to the Participant’s remuneration from his parish.

2. Section 4.1(a)(A) of the Plan is amended by adding the following new paragraph at the end thereof:

Notwithstanding anything to the contrary in the foregoing , for each Plan Year in a Period of Service on and after January 1, 2018, a Participant’s Future Service Retirement Benefit shall be equal to 1/12th of 1% of his Compensation, or if applicable under the second paragraph of Section 4.1(a)(A) above, his “Deemed Compensation for such Plan Year; provided, however that, effective January 1, 2018, such Retirement Benefit shall be (i) 1/12th of 1.5% of such Compensation, if the Participant makes the election under Section 7.1(a)(ii)(A), or (ii) 1/12th of 2% of such Compensation, if the Participant makes the election under Section 7.1(a)(ii)(B).

3 The first paragraph of Section 4.1(a)(A) of the Plan is amended to read as follows:

For each Plan Year in a Period of Service on and after January 1, 1983, a Participant’s Future Service Retirement Benefit shall be equal to 1/12th of 2% of his Compensation, or if applicable under the next succeeding paragraph, his “Deemed Compensation for such Plan Year; provided, however that, effective January 1, 2004, such Retirement Benefit shall be

(i) 1/12th of 2% of such Compensation, if the Participant makes the election under Section 7.1(a)(i)(A), or (ii) 1/12th of 1½% of such Compensation, if the Participant makes the election under Section 7.1(a)(i)(B).

4. Section 7.1(a) of the Plan is amended to read as follows:

(a) For each month during which an Employee is a Participant in the Plan, a Participant shall make contributions as determined in accordance with subsections (i) or (ii) below, as applicable.

(i) For each month during which an Employee is a Participant in the Plan, a Participant shall make contributions under the Plan equal to 2½% of his Compensation for such month; provided, however, that effective January 1, 2004, a Participant may elect to make such contributions in an amount equal to (A) 5% of his Compensation, or (B) 3½% of his Compensation in accordance rules established by the Administration Committee.

(ii) Notwithstanding the foregoing, effective January 1, 2018, for each month during which an Employee is a Participant in the Plan, a Participant shall make contributions under the Plan equal to 3½% of his Compensation for such month; provided, however, that, effective January 1, 2018, a Participant may elect to make such contributions in an amount equal to (A) 5% of his Compensation, or (B) 6.5% of his Compensation, in accordance with rules established by the Administrative Committee.

Such contributions must be made monthly and must be received by or deposited in the Archdiocese Benefits Office lockbox on or before the last day of each month, except as otherwise provided by rules of the Administration Committee relating to the elections referred to in subsections (i) and (ii) above. Late contributions for any month shall not be accepted by the Plan for such month and shall be applied to the following month or returned to the Participant in accordance with rules established by the Administration Committee.

5. Article Seven of the Plan is amended by replacing Section 7.2 with a new Section 7.2 as set forth below:

7.2 FUNDING AND EMPLOYER CONTRIBUTION. In its sole discretion, the Archdiocesan Council of the Greek Orthodox Archdiocese of America shall determine and implement a funding policy which shall set forth the manner which the Employer shall

make contributions to the Plan in amounts sufficient to fund the benefit obligations of the Plan, taking into account Participant contributions pursuant to Section 7.1, other voluntary contributions, and generally accepted actuarial principles. The funding policy shall set forth the methodology for the determination of Employer contributions to fund benefit accruals for each Plan Year, as well as unfunded liabilities with respect to benefit accruals for prior Plan Years.

6. Article Seven of the Plan is amended by deleting Section 7.3.

7. The first paragraph of Section 8.1 of the Plan is amended to read as follows:

The Administration Committee (the "Committee") shall control and manage the operation and administration of the Plan, and shall be the "named fiduciary" and Plan Administrator, as such terms defined in the Employee Retirement Income Security Act, as if such provisions were applicable. The Committee shall consist of six (6) persons, three (3) of whom shall be appointed by the Archdiocese Benefits Committee and three (3) of whom shall be appointed by the Archbishop (or the delegate of the Archbishop).

8. Section 8.1 of the Plan is amended by adding new subsections (i) and (j) to read as follows:

(i) The Committee shall appoint the Actuary (or shall engage an actuarial firm which shall designate the Actuary) to make actuarial valuations of the liabilities under the Plan and to perform such other services as the Committee shall deem necessary or desirable in connection with the administration of the Plan.

(j) The Committee may employ counsel, a qualified public accountant, agents and such clerical, medical and other accounting services as it may require in carrying out the provisions of the Plan.

9. The first paragraph of Section 8.2 of the Plan is amended to read as follows:

The Investment Committee (the "Committee") shall be responsible for the management and control of Plan assets and shall appoint and retain the power to replace a Trustee. The Investment Committee shall consist of six (6) members. Three (3) members shall be appointed by the Archdiocese Benefits Committee and three (3) members shall be appointed by the Archbishop (or the delegate of the Archbishop).

10. The fourth paragraph of Section 8.2 of the Plan is amended to read as follows:

The Committee may employ counsel, a qualified public accountant, agents and such clerical, medical and other accounting services as it may require in carrying out the provisions of the Plan.

11. The last sentence of the last paragraph of Section 8.7 of the Plan is deleted and replaced with the following language:

A claimant has the right to seek review of the Committee's decision by bringing a civil action in a court of appropriate jurisdiction. However, the Committee's decision shall be given deference in all courts of law, to the greatest extent allowed by applicable law, and shall not be overturned or set aside by any court unless found to be arbitrary or capricious, or made in bad faith.

12. The first paragraph of Section 10.2 of the Plan is amended to read as follows:

While the Archdiocese intends to continue the Plan indefinitely, nevertheless it assumes no contractual obligation as to its continuance and the Archdiocese, by action of the Archdiocesan Council of the Greek Orthodox Archdiocese of America ("Archdiocesan Council") may terminate the Plan. In the event the Plan is terminated (or partially terminated as determined by the Internal Revenue Service) the benefits of affected Participants shall be 100% vested and the assets of the Plan shall be distributed to satisfy, in whole or in part, the Plan's benefit obligations within one year of the effective date of the termination of the Plan (pursuant to IRS Revenue Ruling 89-87). Notwithstanding any other provision of the Plan to the contrary, upon termination of the Plan, the Archdiocesan Council and the Archdiocese Benefits Committee shall enter into an agreement regarding the contribution of additional assets to Plan (if any) necessary to fund all liabilities under the Plan over time, consistent with the commitments of the Archdiocese set forth in the Clergy Laity Congress Resolution dated September 10, 2020. In the event that an agreement between the Archdiocesan Council and the Archdiocese Benefits Committee regarding the funding of the Plan upon termination cannot be reached within 180 days of the date that the Archdiocesan Council authorizes the termination of the Plan (or by such later date as may be mutually agreed to by the Archdiocesan Council and the Archdiocese Benefits Committee, with the assistance of a mediator mutually agreed to by the Archbishop and the Archdiocese Benefits Committee), the Archdiocesan Council shall have the right to continue termination of the Plan so long as the Archdiocesan Council commits to full compliance with the Clergy Laity Congress Resolution dated

September 10, 2020 to fund the Plan for vested benefits in accordance with actuarial principles as determined by the Plan's benefit consultant (currently Mercer).

13. The first sentence of the third paragraph of Section 10.2 is amended to read as follows:

Subject to the limitations set forth in the first paragraph of this Section 10.2, the Employer reserves the right to discontinue contributions under the Plan and to terminate the Plan in whole or in part with respect to a specific group of Employees.

Dated: _____

ARCHDIOCESE BENEFITS COMMITTEE

By: _____