

**AMENDMENT TO THE STATEMENT OF POLICY  
FOR COLLECTION OF DELINQUENT CONTRIBUTIONS OF THE  
SEIU NATIONAL INDUSTRY PENSION FUND CONCERNING  
OVERPAID CONTRIBUTIONS, EFFECTIVE JANUARY 1, 2009**

The Board of Trustees of the SEIU National Industry Pension Fund hereby amends the Statement of Policy for Collection of Delinquent Contributions as set forth below.

1. SECTION 2, paragraph 9, is amended in its entirety to read as follows, effective for written employer requests received on or after January 1, 2009:

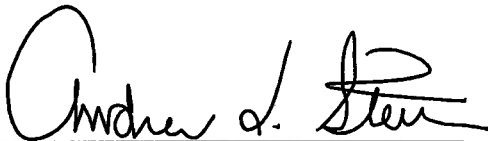
9. If an Employer believes it has overpaid contributions, the Employer shall bring the matter to the attention of the Board of Trustees, in writing. The written refund or credit request must be presented within two years of the date on which the overpayment was received by the Fund. Subject to this limitation, if the Trustees determine that the Employer overpaid its contributions for a period of not more than three (3) months, and that such overpayment was due to mistakes of law or fact, the Trustees shall, not later than six (6) months after they determine the contributions were made pursuant to such mistake, give the Employer a refund or a credit for the amount of such overpayment. If the Employer is not a participating Employer at the time the request is made, a refund may be made to the Employer. The Trustees hereby delegate to the Executive Director the authority to make the foregoing determination on their behalf. The Executive Director shall refer to the Trustees or the Delinquency Committee described in Section 3, Paragraph 9, any requests for credit or refund for overpayment occurring during a period of more than three (3) month's duration. The Trustees or the Delinquency Committee may, in their sole discretion, authorize credits or refunds for overpayments for periods of time longer than three (3) months, but such credits or refunds for overpayments shall be issued only in a manner consistent with ERISA section 403(c)(2) and Internal Revenue Code section 401(a)(2). No interest shall be due to any Employer on any overpayment. In addition, any refund or credit for periods of time exceeding three (3) months shall be reduced by (a) an administrative fee equal to ten percent (10%) of the amount of the overpayment and (b) any other financial detriment to the Trust resulting from the overpayments, including overpaid pension benefits which are not recovered. The Fund shall not be obligated to pay benefits resulting from any overpaid contributions.

2. SECTION 4, paragraph 12 is amended in its entirety to read as follow, effective for audits commencing on or after January 1, 2009:

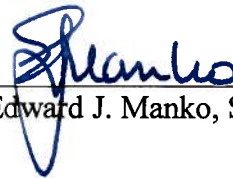
12. The Board of Trustees authorizes the Executive Director to issue a refund or to give credit to any Employer that notifies the Fund during an audit that the Employer overpaid contributions in an amount of \$50 or more. If an overpayment in an amount of \$50 or more is discovered by the Fund during an audit, the Executive Director is authorized to issue a refund or credit for such overpayments made during the entire

the entire audit period. The Executive Director is authorized to deny refunds and credits where appropriate. Any refund or credit authorized shall be reduced by (a) an administrative fee equal to ten percent (10%) of the amount of the overpayment and (b) by any other financial detriment to the Trust resulting from the overpayments, including overpaid pension benefits which are not recovered. The Fund shall not be obligated to pay benefits resulting from any overpaid contributions.

Signed December 17, 2008, at Washington D.C.



Andrew L. Stern, Chair



Edward J. Manko, Secretary