

NEW ENTERPRISE STONE & LIME COMPANY, INC.

SUPPLEMENTAL UNEMPLOYMENT BENEFITS PLAN

As revised effective May 1st, 2023

INTRODUCTION

This plan is being provided to all hourly employees of NESL and Subsidiaries who perform work on projects subject to the Davis Bacon Act or other prevailing wage law.

The plan will provide supplemental unemployment benefits to you during periods of layoff or other similar conditions that would qualify for state unemployment compensation benefits.

HOW IS THE PLAN FUNDED?

The plan will be funded by NESL. Contributions are made for hours worked by hourly employees on prevailing wage jobs and the amounts contributed will be credit against the prevailing fringe benefit rate.

HOW DO I QUALIFY AND WHEN DO I RECEIVE BENEFITS FROM THE PLAN?

Supplemental unemployment benefits are available if you have an involuntary separation from employment (whether or not the separation is temporary) resulting directly from a seasonal lay off, reduction in force, the discontinuance of a plant or operation, or other similar conditions that would qualify for state unemployment compensation benefits (except that the state waiting period does not apply). This includes, but is not limited to, periods of seasonal layoff and weeks in which the employee would qualify for partial Pennsylvania Unemployment Compensation Benefits, but for the waiting period requirement. When you are unable to work the full week due to unavailability of work and you earn less than 130% of the Pennsylvania Unemployment Weekly Benefit Rate (currently 130% of the maximum Weekly Benefit rate is \$786.50), you may qualify for benefits from the Plan. Time off (holiday, vacation or sick time) used under the PTO Plan in a given week will be treated as a paid day for purposes of calculating such eligibility.

Benefits will be paid on a weekly basis, by check or direct deposit, as you instruct the Plan Administrator.

HOW MUCH WILL I RECEIVE?

Your weekly benefit amount is based on average weekly wages earned by employees in the same primary job classification (prior year's 3rd quarter average hours x hourly prevailing rate for the classification). The weekly benefit amount will be reduced by any payment of wages for the week and any time off used under the PTO Plan will be treated as a paid day for purposes of calculating the benefit payment. Your benefit payment will not exceed the balance in your SUB Plan account.

WHEN WILL THE BENEFIT PAYMENT END?

Your benefit payment will cease on the earlier of:

- The day you return to work for any employer (even if it is not New Enterprise); or
- When your balance in the Plan account has been depleted.

WHAT HAPPENS IF I RETURN TO WORK BEFORE MY ACCOUNT HAS BEEN DEPLETED?

If you return to work with NESL or a subsidiary, you will carry your account balance forward to be used in future years.

CAN I LOSE ANY OF MY BENEFITS?

If you leave NESL for any reason other than an involuntary separation (as defined above), you may forfeit the funds in your SUB Plan account on the last day of the month following your date of termination of participation. Forfeited amounts will be used to offset future administrative expenses and/or be allocated to the remaining participant's accounts.

HOW WILL I KNOW HOW MUCH I HAVE IN MY ACCOUNT?

A web portal is available for you to monitor your benefit account. The web portal can be found at www.myprevailingwage.com. To access your account, you need the Plan ID. Your Plan ID is: NESLDR

An account statement will be generated and posted to your web portal each quarter. You can also generate an on-demand statement for any period of your choice. If you prefer to receive paper or statements mailed to your address

of record, simply select paper statement in the statement option under the profile section of the web portal or contact Direct Advisors directly.

WILL INTEREST BE EARNED ON BALANCES IN THE ACCOUNT?

Your account will be credited with interest each month.

WILL FEES BE PAID FROM MY ACCOUNT?

Your account will be charged a fee of 4% of the contributions made by NESL.

WHO DO I CONTACT IF I HAVE QUESTIONS?

You are welcome to contact the third-party administrator, Direct Advisors, LLC at 518-362-2119 from 8am – 5pm, Monday through Friday or email at trust@directadvisors.com.

If you have further questions, please feel free to contact the NESL HR Department at (814) 766-4438 or email at humanresources@NESL.com.

Important Note: This document is a supplement to the Summary Plan Description and is not intended to replace it or answer every question you may have. Please refer to the complete Summary Plan Description for further details. In the event of any conflict between the information in this document and the Summary Plan Description, the Summary Plan Description will control.