

# **HRSA-ILA SUMMARY PLAN DESCRIPTIONS**

- 2     ADMINISTRATION**
  
- 14    WELFARE BENEFITS**
  
- 34    PENSION PLAN**
  
- 47    ANNUITY & SAVINGS PLAN**
  
- 58    VACATION & HOLIDAY FUND**
  
- 65    CONTAINER ROYALTY FUND**
  
- 71    DAVID D. ALSTON SCHOLARSHIP FUND**
  
- 79    PERSONAL**

## **ADMINISTRATION**

- 3 MISSION STATEMENT
- 3 ADMINISTRATION of HRSA-ILA BENEFITS
  - 3 Your Rights Under the Employee Retirement Income Security Act of 1974
  - 3 Department Telephone Numbers
  - 4 Plan Fiduciaries
  - 5 Benefit Claims & Legal Actions
  - 5 Appeal of a Denied Claim
  - 6 Change of Address
- 6 WELFARE FUND
- 6 PENSION PLAN
- 8 ANNUITY & SAVINGS PLAN
- 9 VACATION & HOLIDAY FUND
- 10 CONTAINER ROYALTY FUND
- 10 DAVID D. ALSTON SCHOLARSHIP FUND
- 11 INTERACTIVE VOICE RESPONSE SYSTEM MAP

# Mission Statement

*We are the*  
**HRSA-ILA**

We are here to serve the members of the International Longshoremen's Association. Our mission at the HRSA-ILA is to assure that each and every eligible participant receives the benefits promised by the Collective Bargaining Agreements. Our efforts are dedicated to the timely and efficient delivery of those benefits.

To fulfill this mission the HRSA-ILA Staff is committed to:

- Provide efficient, polite, helpful service to the participants, their survivors and their dependents.
- Collect and process work and eligibility data quickly and accurately, and report benefits to the participants in a timely manner.
- Enhance the value of the participants' benefits through efficient management and vigilant oversight of all benefit funds.

## ADMINISTRATION OF THE HRSA-ILA FUNDS

### **Your Rights Under the Employee Retirement Income Security Act of 1974**

The Employee Retirement Income Security Act of 1974 (ERISA) requires information about your employee benefit plans to be described to you. The Trustees have always made a good faith effort to give you the benefits to which you are entitled under the various HRSA-ILA Funds and to comply in every way with all government regulations concerning your employee benefits. If you have a concern with your benefits, please call Participant Services. This Master Summary Plan Description contains all of the information required by law to be included in a summary of your HRSA-ILA Plans. This section summarizes the ERISA rights that as a Plan participant you are guaranteed. We hope that this statement of your rights under ERISA is clear and that it is helpful to you. If you have any questions concerning your benefit entitlements or your ERISA rights, please call the Administrator at (757) 457-7090.

### **Department Telephone Numbers**

- **Participant Services**.....(757) 457-7090
- **Interactive Voice Response**.....(757) 423-3090
- **Administrator**.....(757) 457-9110

WEBSITE  
[www.hrsa-ila.com](http://www.hrsa-ila.com)

### Plan Documents

You may examine all Plan documents. These documents may be seen in the HRSA-ILA Administrative Office during normal working hours (8:30 a.m. until 5:00 p.m.). These documents include the Collective Bargaining Agreements, a summary of the Plan's annual financial report and the Summary Plan Descriptions that are filed with the US Department of Labor. You may obtain copies of these documents by sending a written request to the Administrative Office. There will be a charge to cover the costs of the copies.

### Summary Annual Report

You will receive a summary of the Plan's annual financial report once each year. This is called a "Summary Annual Report."

### Responses to Your Request

If you make a written request for material that is required to be given to you, you will generally receive the material within 30 days of your request. If the requested material does not reach you within the 30 days, please contact our office and we will send another copy immediately.

## **Plan Fiduciaries**

The Board of Trustees are the named fiduciaries of the HRSA-ILA Plans. Trustees may change from time to time. The current Trustees are listed below.

The Plan fiduciaries are responsible for the proper operation of your employee benefit plans. They act in your interest and must perform their duties in a responsible manner.

### **UNION TRUSTEES**

#### **Thomas M. Little**

Co-Chairman, International Vice President  
1355 International Terminal Blvd, Suite 201  
Norfolk, VA 23505

#### **Larry A. Bachtell, President**

ILA Local 1624  
500 E. Main St, Ste 404  
Norfolk, VA 23510

#### **Edward L. Brown, III, Business Agent**

ILA Local 1248  
3300 E Princess Anne Road  
Norfolk, VA 23502

#### **Robert Versprille, Vice President**

ILA Local 1624  
994 Kelso Court  
Virginia Beach, VA 23464

#### **Farris Hampton, President**

ILA Local 846  
1911 Ivy Avenue  
Newport News, VA 23607

#### **Robert J. Smith III**

President  
Hampton Roads District Council (HRDC)  
1355 International Terminal Blvd, Suite 201  
Norfolk, VA 23505

#### **Kevin Basnight, President**

ILA Local 1970  
3300 East Princess Anne Rd  
Norfolk, VA 23502

### **EMPLOYER TRUSTEES**

#### **Roger Giesinger, Co-Chairman**

President & Chief Negotiator, HRSA  
PO Box 3487  
Norfolk, VA 23514

#### **Corine Barbour, General Manager**

Lambert's Point Docks  
PO Box 89  
Norfolk, VA 23501

#### **George H. Brown, Chief Executive Officer**

CP&O, LLC  
4200 Colley Avenue, Suite B  
Norfolk, VA 23508

#### **Ed McCarthy**

Senior Vice President of Operations & COO  
CMA CGM America, LLC  
5701 Lake Wright Drive  
Norfolk, VA 23502

#### **Raymond A. Newlon, Director**

Mid-Atlantic, Hapag-Lloyd America  
5701 Cleveland Street, Suite 640  
Virginia Beach, VA 23462

#### **William H. Parker, Vice President**

Ceres Marine Terminals, Inc.  
901 Port Centre Pkwy, Suite 10  
Portsmouth, VA 23704

#### **Shawn Tibbetts**

Chief Operations Officer  
Virginia International Terminals, LLC  
1000 Virginia International Gateway Blvd  
Portsmouth, VA 23703

### **Exercising Your ERISA Rights**

You will not be fired or discriminated against in any way to prevent you from getting Plan benefits or to prevent you from exercising the rights you have as a Plan participant under ERISA.

### **Benefit Claims and Legal Actions**

If you have any questions or problems concerning any of your benefits or about an application for benefits, please contact the Participant Services Department of the HRSA-ILA Funds, 1355 International Terminal Boulevard, Norfolk, VA 23505-1458, (757) 457-7090. In most cases, this is all you will have to do for your question to be answered or problem addressed.

If your application for benefits is denied in whole or in part, the Administrator will write to you explaining the reasons for the denial and tell you how you can appeal the decision. You have the right to have the Plan review and reconsider your claim. The appeals procedures are fully described below. After exhausting all of the remedies available to you through normal channels; that is, after your claim for benefits is denied and your appeal is denied, you may in many cases (with the assistance of your local) seek arbitration of your claim, in accordance with the Collective Bargaining Agreement or you may take your case to court. Under ERISA, there are steps you can take to enforce the above rights. For instance, if you have a claim for benefits which is denied or ignored, in whole or in part, or if you discover that a Plan fiduciary is misusing the Plan's money or if you are discriminated against for exercising your rights under ERISA, you may file suit in a federal court or ask the US Department of Labor for help. If you make a written request for material required to be given to you and you do not receive the material within 30 days after your request, you may bring suit as long as the delay in getting the material to you is not beyond the control of the Administrator. (In this instance, the court may require the Trustees to pay you up to \$100.00 for each day's delay.)

If you bring suit in federal or state court to protect any of the ERISA rights that have been discussed above, the court will decide who will pay court costs and legal fees. If you are successful the court may ask that these costs and fees be paid by the losing party. On the other hand, if you are not successful the court may order you to pay these costs and fees.

**If you have any questions about any HRSA-ILA Fund or this statement of your rights under ERISA, you should contact the Administrator, (757) 457-7090. If your question is not answered to your satisfaction you may contact the Employee Benefits Security Administration (EBSA) at (866) 275-7922.**

### **Appeal of a Denied Claim**

The Board of Trustees hears all disputes and grievances arising out of the various HRSA-ILA Funds. If you have a grievance in connection with your benefits you must contact the Administrator within thirty (30) days following the calendar quarter in which the problem or incident occurred. The calendar quarters end on March 31, June 30, September 30, and December 31. If your benefits are denied, you will receive written notice setting forth the specific reasons for the denial.

If the Administrator is unable to resolve your grievance, you may request a review of the denial by the Board of Trustees. You or your union representative must file a written grievance with the Board of Trustees. The Board of Trustees will generally act upon your grievance within 90 days of receipt. After the Board of Trustees has met you will receive written notification of the Board's decision on your grievance.

If the decision is not favorable, you will be notified of the reasons for the denial with specific reference to the appropriate plan provisions that apply. The Board of Trustees will also tell you how you can appeal this decision.

If you wish to appeal the Board's decision, then you or your union representative must file your grievance with the Trustee Arbitration Committee of the Hampton Roads Shipping Association and the International Longshoremen's Association as provided for in your Collective Bargaining Agreement. Decisions reached by the Trustee Arbitration Committee are final and binding.

In the event that the Trustee Arbitration Committee is unable to reach a decision, application will be made to the Federal Mediation and Conciliation Service for a final determination of the questions.

**Changing Your Address**

You are responsible for informing the HRSA-ILA Fund Administrative Office of your current address. If you move, the change of address form in the Personal Section (page 77) of this booklet should be forwarded to the Fund office at 1355 International Terminal Boulevard, Norfolk, VA 23505. You may also obtain a change of address form by calling the Interactive Voice Response System at (757) 423-3090 or by printing the form from our website, www.hrsa-ila.com.

**ADMINISTRATION OF THE WELFARE FUND**

**Who Pays for the Fund**

The Plan is funded from contributions made by the Employers to the Trustees of the HRSA-ILA Welfare Fund on the basis of hours worked by Employees covered by the Collective Bargaining Agreement between the Employer-Members of the Hampton Roads Shipping Association and the International Longshoreman’s Association.

**Fund Identification Number**

A summary description of the Fund is on file with the US Department of Labor and may be referred to by the Employer Identification Number (EIN) 54-0489826 and Fund Identification Number 501.

**Union Agreement**

This Fund is maintained pursuant to the Collective Bargaining Agreements. You may obtain a copy of any agreement by sending a written request to the Plan Administrator. You may examine any such agreement during normal office hours at the office of the Plan Administrator.

The benefits, conditions for eligibility, and qualifications and limitations of coverage under the Fund are described in this booklet, which is given to all employees who are Fund participants. If your booklet is misplaced, you may obtain a replacement from the Plan Administrator.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
HRSA-ILA Welfare Fund	As listed in the Administration Section Page 4	October 1 through September 30	501	Board of Trustees HRSA-ILA Welfare Fund 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number (EIN) 54-0489826				

**ADMINISTRATION OF THE PENSION PLAN**

**Establishment of the Plan**

Your Pension Plan is a defined benefit Plan. The Plan is adopted pursuant to the several Collective Bargaining Agreements between the members of the Hampton Roads Shipping Association (“HRSA”) and the International Longshoremen’s Association (“ILA”), copies of which are available for examination in the Plan’s Administrative Office. Copies may also be obtained by the participants of the Plan by written request to the Plan Administrator.

**Board of Trustees**

The Plan is administered by a Board of Trustees. The Board is made up of seven members appointed by the HRSA and seven members appointed by the ILA. The Board makes the decisions regarding any question, interpretation and application of the Plan provisions and is

responsible for seeing that the Plan provisions are applied in a uniform manner. The Board has the power to amend the Plan.

**Contributions to the Pension Plan**

Your pension benefits are paid to you out of the Pension Plan. Contributions to the Pension Plan are made by the employers based on the Collective Bargaining Agreements with the ILA.

**Assignment of Benefits**

For the protection of your interests and those of your dependents, your benefits under the Plan cannot be assigned, and are not subject to garnishment or attachment, except to the extent permitted by law. For example, some or all of your benefits may be assigned under a Qualified Domestic Relations Order to a former spouse, and you may assign a portion of your benefits to repay overpayments from other HRSA-ILA Funds.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
HRSA-ILA Pension Plan	As listed in the Administration Section Page 4	October 1 through September 30	001	Board of Trustees HRSA-ILA Pension Plan 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number 54-0506055				

**Plan Investments**

Most of the assets of the Plan are held in trust with the Plan’s custodian, which is a bank. The assets are invested by professional investment managers recommended to the Board of Trustees by a qualified investment consultant. Assets are generally invested in common stocks and bonds. From time to time some of the assets of the Plan may be invested in savings and loan associations, insurance contracts, government securities, money market accounts, etc.

**Future of the Plan**

HRSA-ILA intends to continue the Pension Plan indefinitely, but the Board of Trustees reserves the right to amend or terminate the Plan, or to change the method of providing benefits, if that should ever be necessary or if conditions should change. The Plan is also subject to the continuing approval of the Internal Revenue Service, and may be modified as needed to make or keep the Plan qualified under the Internal Revenue Code.

**Pension Benefit Guaranty Corporation**

Benefits under the Pension Plan are insured by the Pension Benefit Guaranty Corporation (PBGC), up to certain limitations, if the Plan terminates. The PBGC generally insures normal retirement benefits for each year of benefit service. Certain disability retirement benefits, vested benefits and survivor’s pensions are also insured. However, any increases in Plan benefits which have been in effect for less than five years are not insured. The assets of the trust fund can never be used for any purposes other than for providing benefits and paying reasonable administrative expenses. If, upon Plan termination, there are not enough assets in the Trust Fund to pay all the benefits to each person entitled to them and if certain benefits are not covered by the PBGC, some employees may receive a smaller benefit than if the Plan had continued.

If the Plan terminates, you will automatically become 100% vested in the benefit you earned as of the Plan’s termination date. This is true regardless of how much benefit service you have in the Plan at that time. The law establishes priorities as to how the Pension Plan’s assets will be used to provide Plan benefits after termination. Assets are used to pay for benefits in the following order, until the assets are used up:

- Benefits will be paid first to those retirees, beneficiaries, or active employees who have actually received (or who could have received) Plan benefits at least three years before the termination date. Benefits in these instances will be based on any Plan provision in effect during the five years prior to termination which would produce the lowest amount.

In addition, the maximum for those who have received benefits for at least three years will be based on the lowest benefit payment received during that three-year period;

- Next, all other benefits which are insured by the Pension Benefit Guaranty Corporation will be paid;
- Next to be paid are vested benefits which are not insured by the PBGC and which were vested for reasons other than Plan termination;
- Finally, any other benefits due under the Plan will be paid provided, of course, that funds are available. These include those benefits which became vested only because of Plan termination.

For more information on the PBGC insurance protection and its limitations, you may contact the PBGC. Inquiries to the PBGC should be addressed to the Office of Communications, PBGC, 1200 K Street NW, Washington, DC 20005. The PBGC Office of Communications may also be reached by calling (202) 326-4000 or 1 (800) 400-7242. You can also access their website at [www.pbgc.gov](http://www.pbgc.gov).

### **Accrued and Vested Pension Benefits**

You may request in writing a statement of your current status in the Plan. If you make this request, you will be told how much you have earned in the Plan to date (your accrued benefit) and whether or not you have a right to receive this benefit upon reaching your normal retirement age (i.e., whether or not you are vested). If you are not vested, you will be told when you will become vested assuming you continue any necessary employment in the industry. If you request this statement, it will be given to you free of charge, but not more than once a year.

## **ADMINISTRATION OF THE ANNUITY & SAVINGS PLAN**

### **Establishment of the Plan**

The HRSA-ILA Annuity & Savings Plan was adopted pursuant to Collective Bargaining Agreements between the Hampton Roads Shipping Association (“HRSA”) and the International Longshoremen’s Association (“ILA”). A copy of the Collective Bargaining Agreement is available for examination and may be obtained by the participants of the Plan by written request to the Plan Administrator. The Plan is a “defined contribution” plan.

### **Board of Trustees**

Your Plan is administered by a Board of Trustees. The Board is made up of seven members appointed by the HRSA and seven members appointed by the ILA. The Board makes the decisions regarding any question, interpretation and application of the Plan provisions and is responsible for seeing that the Plan provisions are applied in a uniform manner. The Board has the power to amend the Plan.

### **Contributions to the Plan**

Your Plan benefits are paid to you out of your account which is part of the Plan's Trust Fund. Contributions to your account are made by the employers based on the Collective Bargaining Agreements, and by you based on your pre-tax or after-tax contribution elections.

### **Assignment of Benefits**

For the protection of your interests and those of your dependents, your benefits under the Plan cannot be assigned or alienated (that is, sold, used as collateral for a loan, given away, or otherwise transferred), and are not subject to garnishment or attachment, except to the extent permitted by law. For example, some or all of your benefits may be assigned under a QDRO (see page 49) to a former spouse.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
HRSA-ILA Annuity & Savings	As listed in the Administration Section Page 4	January 1 through December 31	002	Board of Trustees HRSA-ILA Annuity & Savings 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number 54-1839163				

**Future of the Plan**

HRSA-ILA intends to continue the Plan indefinitely, but the Board of Trustees reserves the right to amend or terminate the Plan, or to change the method of providing benefits. The terms of the Plan also may be changed to the extent the bargaining parties change the terms of the Collective Bargaining Agreement or enter into a new Collective Bargaining Agreement. The Plan is also subject to the continuing approval of the Internal Revenue Service, and may be modified as needed to make or keep the Plan qualified under the Internal Revenue Code.

**Pension Benefit Guaranty Corporation**

Benefits provided under this Plan are not insured by the Pension Benefit Guaranty Corporation (PBGC) under Title IV of ERISA because this is not a defined benefit plan.

**Plan Benefit Statement**

You will receive a quarterly statement showing the fair market value of your account balance. You may also request in writing a statement of your current balance in the Plan. If you make this request, you will be told your account balance. If you request this statement, it will be given to you free of charge, but not more than once a year. You can also check on your account or review investments by visiting the MassMutual website, [www.retiresmart.com](http://www.retiresmart.com).

**ADMINISTRATION OF THE  
VACATION & HOLIDAY FUND**

The Vacation & Holiday Fund is a Welfare Benefit Plan providing paid vacation and holiday benefits. It is an irrevocable Trust as authorized by Section 302 (c) of the Labor-Management Relations Act of 1947, as amended. The Trust is jointly administered by a Board of Trustees composed of seven members appointed by the Hampton Roads Shipping Association and seven members appointed by the International Longshoremens’s Association.

The Fund is not insured under Title IV of the Employee Retirement Income Security Act of 1974 (ERISA) because the insurance provisions do not apply to this type of fund.

**Establishment of the Fund**

The Fund was established pursuant to Collective Bargaining Agreements by and between the HRSA and the ILA. A copy of the current Collective Bargaining Agreement is available for examination and may be obtained by the participants of the Fund by written request to the Plan Administrator.

**Fund Identification Numbers**

A description of the Fund is on file with the US Department of Labor and may be referred to by the Employer Identification Number 54-1220256 and Plan Identification Number 501.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
HRSA-ILA Vacation & Holiday Fund	As listed in the Administration Section Page 4	October 1 through September 30	501	Board of Trustees HRSA-ILA Vacation & Holiday Fund 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number: 54-1220256				

**ADMINISTRATION OF THE  
CONTAINER ROYALTY FUND**

The Container Royalty Fund is a Welfare Benefit Plan and is administered by the Board of Trustees. The Board is made up of seven members appointed by the Hampton Roads Shipping Association and seven members appointed by the International Longshoremen’s Association. The Board makes the decisions regarding any question, interpretation and application of the Fund provisions and is responsible for seeing that the Fund provisions are applied in a uniform manner.

**Fund Identification Numbers**

A description of the Fund is on file with the US Department of Labor and may be referred to by the Employer Identification Number 54-0852223 and Plan Identification Number 502.

**Establishment of the Fund**

The Fund is adopted pursuant to Collective Bargaining Agreements by and between the HRSA and the ILA, copies of which are available for examination and may be obtained by the participants of the Fund by written request to the Plan Administrator.

**Fund Investments**

Fund assets are managed and invested by investment managers selected by the Board of Trustees.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
HRSA-ILA Container Royalty Fund	As listed in the Administration Section Page 4	October 1 through September 30	502	Board of Trustees HRSA-ILA Container Royalty Fund No. 1 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number 54-0852223				

**ADMINISTRATION OF THE  
DAVID D. ALSTON SCHOLARSHIP FUND**

The David D. Alston Scholarship Fund is a Welfare Benefit Plan and is administered by the HRSA-ILA Board of Trustees. The Board is made up of seven members appointed by the Hampton Roads Shipping Association and seven members appointed by the International Longshoremen’s Association. The Board makes the decisions regarding any question, interpretation and application of the Fund provisions. The Board has the power to amend the Fund.

**Establishment of the Fund**

The Fund is adopted pursuant to Collective Bargaining Agreements by and between the Hampton Roads Shipping Association and the International Longshoremen’s Association, copies of which are available for examination and may be obtained by the participants of the Fund by written request to the Plan Administrator.

PLAN NAME	TRUSTEES	PLAN YEAR	PLAN NUMBER	PLAN ADMINISTRATOR AND ADDRESS
David D. Alston Scholarship Fund	As listed in the Administration Section Page 4	October 1 through September 30	503	Board of Trustees David D. Alston Scholarship Fund 1355 International Terminal Blvd Norfolk, VA 23505 Phone (757) 457-7090 1 (800) 899-3090
Employer Identification Number 54-1160614				

ivr

ivr