

CONTAINER ROYALTY FUND BENEFITS

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HRSA-ILA CONTAINER ROYALTY FUND NO. 1
SUMMARY PLAN DESCRIPTION

Introduction and Background

The HRSA-ILA Container Royalty Fund No. 1 (the “Fund”) is sponsored by the Employer-Members of the Hampton Roads Shipping Association (the “HRSA”) and the Affiliated Locals of the Port of Virginia, Virginia International Longshoremen’s Association, AFL-CIO (the “ILA”). The Fund is adopted pursuant to the several Collective Bargaining Agreements between the HRSA and the ILA.

This Summary Plan Description (SPD) will describe the general provisions of the Fund. The SPD is not a substitute for the Trust Agreement and is not meant to interpret, amend or alter the Fund in any way. The Trust Agreement is the final authority on all matters regarding the Fund and in cases of conflict between this SPD and the Fund, the actual provisions of the Fund control. You may review the Trust Agreement and obtain a copy of it at the Fund office. You may also view the Trust Agreement at www.hrsa-ila.com. If you have any questions about the Fund or this SPD, you should contact the Fund Administrator at the Fund office.

Establishment of Fund

The Fund was established for the protection and benefit of members of the International Longshoremen’s Association, including ILA Locals 846, 970, 1248, 1624, 1736, and 1970 as well as non-union employees who become eligible by working in the Port of Virginia under the jurisdiction of the Collective Bargaining Agreement.

Funding of Benefits

Benefits are funded by contributions from shipping lines based on a portion of the container tonnage loaded or discharged in the Port of Virginia. The amount of contributions is determined by the Collective Bargaining Agreements currently in force between the HRSA and the ILA.

BENEFITS

Eligibility and Participation

The Container Royalty Benefit may be earned by any ILA or non-union employee who:

- is paid deep sea or terminal ILA jurisdiction hours by HRSA member companies; or
- receives temporary total or temporary partial workers’ compensation credits; or
- is an ILA employee of an HRSA-ILA Fund.

<u>Participants</u>	<u>Initial Qualification</u>	<u>Ongoing Eligibility</u>	<u>Benefit Amount</u>
Hired Before 10/1/2018	Worked 3 years in the industry, and credited for 3,000 hours or more total, and credited for 1,300 hours in qualifying year	Receive credit for 1,300 hours each year	Full Amount on December 1st PLUS Share of any overage benefit paid in February
OR Hired 10/1/2018 or later	Worked 6 years in the industry and credited for 1,000 hours or more in 5 of those 6 years and credited for 1,300 hours in qualifying year	Receive credit for 1,300 hours each year	\$7,500 paid on December 1st
	After you initially Qualify for 6 weeks of Vacation Benefits	Receive credit for 1,300 hours each year	Full Amount on December 1 st PLUS Share of any overage benefit paid in February

If an employee has a break in service of three (3) consecutive years of zero (0) hours, the employee shall be disqualified for Container Royalty benefit payment and must begin the initial qualification process again.

Example:

George Doe was hired on 10/01/2018. He must receive credit for at least 1,000 hours in five (5) of six (6) years, and receive credit for at least 1,300 hours in his Initial Eligibility Year to receive his first Container Royalty benefit of \$7,500.00 on December 1st.

As long as George Doe receives credit for at least 1,300 hours each year thereafter, he shall continue to receive a Container Royalty benefit of \$7,500.00 on December 1st.

Once George Doe qualifies for six weeks of Vacation and Holiday benefits as defined in the collective bargaining agreement, he shall qualify for the full Container Royalty benefit on December 1st, and the supplemental (overage) Container Royalty benefit in the following February.

<u>Contract Year</u>	<u>Work Hours</u>	Qualified <u>Yes/No</u>	Eligible <u>Yes/No</u>
2018-2019	800	No	No
2019-2020	1200	No	No
2020-2021	1300	No	No
2021-2022	1050	No	No
2022-2023	1800	No	No
2023-2024	2000	Yes	Yes

NOTE: Work hours includes credit for temporary total or temporary partial worker’s compensation, and active duty military service.

Retiree Eligibility

After your retirement you will qualify for three additional Container Royalty payments if you qualified for the benefit during the year of, or the year before, your retirement effective date. For purposes of receiving benefits from this fund, an employee shall be deemed retired on the date a retirement application is submitted to the HRSA-ILA Pension Plan. No additional annual Container Royalty Benefits are paid if you die before retiring.

If you return to work in the industry after receiving your three additional Container Royalty benefits you will not be eligible to receive three additional Container Royalty benefits when you retire again.

Eligibility Credits

Employees who receive temporary total or temporary partial workers’ compensation benefits shall receive pro rata credit for the purposes of determining eligibility at the rate necessary to continue the employee’s benefits at the same level as in existence during the immediate prior year, in accordance with the Collective Bargaining Agreements. You will only receive credits for those weeks during which you receive workers’ compensation benefits.

If you are an eligible employee who qualifies under the Uniformed Services Employment and Re-Employment Rights Act of 1994 (“USERRA”) and you serve in the uniformed services, you may receive credits for the time spent in the uniformed services up to five years under USERRA

to the extent necessary to preserve seniority-based benefits, provided you apply for covered employment in the longshore industry in Hampton Roads in a timely manner (as defined by USERRA) after your separation from service.

No credit hours are granted from short term disability benefits, permanent total or permanent partial workers' compensation disability benefits or from lump sum compensation settlements. If there is a retroactive declaration of permanent disability by a court or commission having jurisdiction in the compensation case, the credits will be retroactively adjusted to stop after you are declared permanently disabled.

Payment of Benefits

Benefits are paid automatically to eligible persons as determined at the end of each contract year, which runs from October 1 of one year to September 30 of the next. Container Royalty benefits are paid by electronic direct deposit on or about December 1. If this date falls on a weekend or a holiday, your direct deposit will appear in your bank account on the first business day after the first of the month.

Deductions from your Container Royalty Benefit

Annuity & Savings Plan: You may elect to have all or part of your Container Royalty benefit to be contributed on a pre-tax basis to your Annuity & Savings Plan account subject to the IRS contribution limits. If you choose to contribute to your Annuity & Savings Plan account, Social Security and Medicare taxes (FICA) are deducted from the gross benefit before your annuity contribution. Taxes are calculated and union dues are deducted after your annuity contribution is applied.

Taxes: You have two choices for federal and state tax deductions from your benefit. You may choose to have 25% of your benefit deducted for federal taxes and 5.75% deducted for state taxes, or you may choose the deductions based on your W-4 form on file with the Fund office. The W-4 election is used as the default if you have not submitted a form electing the alternate method. HRSA-ILA cannot be held responsible for a tax withholding election you make or fail to make. If you receive a Container Royalty Benefit, you will receive a W-2 Form in January of the following year. The W-2 will show the amount of benefits that you received and the amount of taxes withheld. When you prepare your taxes, include the Container Royalty Benefit as wages and attach the W-2 to your tax return.

Union Dues: Union dues (check-off) are withheld at a rate of 10% of the gross benefit as required by the collective bargaining agreement.

Garnishments and Levies: Sometimes the Fund is served with a garnishment summons from a local court, a spouse or child support order, or an IRS levy from the Internal Revenue Service. The summons, order, or levy directs the Fund to withhold all or a portion of the Container Royalty Benefit and send the amount withheld to the issuing court or to the IRS. You will receive a copy of the summons or IRS levy when one is issued against your benefits, and you will receive a notice showing the amount withheld from your benefits.

The Fund must honor a court order. If you object to the Fund honoring such a court order you should request an attorney to intervene in the garnishment action on your behalf and ask the court to change its order.

Money Owed to HRSA-ILA: If you owe money to another HRSA-ILA Fund, because of an overpayment or improper payment, for example, the balance that you owe will be deducted from your Container Royalty Benefit.

Electronic Direct Deposit of Your Container Royalty Benefit

Electronic Direct Deposit is required to receive a Container Royalty Benefit. Electronic direct deposit is a safe and efficient means of transferring your Container Royalty money from the Plan to your bank account eliminating the chance of your check being lost in the mail. When your benefit is deposited electronically you will receive a confirmation in the mail that the money was deposited to your account. A Direct Deposit Authorization Form may be forwarded to the Fund

at any time, but it must be received no later than two weeks before the scheduled payment. To enroll for direct deposit, you may bring or mail the form included in the Personal Section of this notebook to the HRSA-ILA Participant Services Department. You must include either a void check from your bank account, or a bank letter showing your account information. In addition to the Direct Deposit Forms available in the Personal Section of this book, forms are also available on the HRSA-ILA website, <https://www.hrsa-ila.com> or by calling our Participant Services Department at (757) 457-7090.

Appeal of a Denied Claim

See Administration Section regarding the procedures for the appeal of a denied claim.

Loss of Benefits

Benefits are earned according to how many hours you are credited during the year. You may earn the benefit one year but fail to earn the benefit the next year because you did not work a sufficient number of hours or receive sufficient credits. You are not eligible to receive the benefit if you do not have a minimum of 1,300 hours or credits during a contract year. If at any given time you had a break in service of three (3) consecutive years of zero (0) hours, you shall be disqualified for Supplemental Cash Payment and must begin the qualification process again. The Fund is subject to and may be modified at any time by the Trustees in accordance with the Collective Bargaining Agreements.

QUESTIONS OFTEN ASKED ABOUT THE HRSA-ILA CONTAINER ROYALTY FUND

How are my hours reported?

Employers are required to report employee work hours to the Fund and you are credited with the hours reported. If you are injured, employers or their insurance carriers will send compensation reports. To see your hours and credits log into the Member Portal or you may request a “detail history” from Participant Services at (757) 457-7090.

What happens if I miss earning the benefit during a year?

Once you have qualified for the benefit, you will earn it each year that you accrue 1300 hours of credit. However, if you fail to earn any hours for three consecutive years you will have to qualify again. If you fail to earn the three consecutive years because of a non-occupational illness or injury, you should apply to the Board of Trustees for a review.

How will I know if I earn a Container Royalty Benefit?

You will receive an Eligibility Certificate in November which will show whether or not you have earned a Container Royalty Benefit. You will be paid the benefit automatically after you qualify.

When are benefits paid?

Container Royalty is paid by electronic direct deposit on December 1 or on the first business day following this date.

How is the amount of the Container Royalty benefit determined?

Container carriers pay tonnage assessments into the Container Royalty Fund throughout the year. The total money collected minus administrative expenses and a small reserve is divided by the number of eligible participants.

Will my spouse continue receiving Container benefits if I die?

Any unpaid Container Royalty benefits that you qualified for before your death shall be paid to the beneficiary designated by the Eligible Employee on forms provided by and filed with the Fund Office. It is your responsibility to keep your beneficiary designation up to date. No additional annual Container Royalty Benefits are paid if you die before retiring.

IMPORTANT NAMES AND ADDRESSES

ADMINISTRATIVE OFFICE OF THE FUND

HRSA-ILA Container Royalty Fund No. 1
1355 International Terminal Boulevard
Norfolk, VA 23505-1458
Phone Number: (757) 457-7090
Toll Free: 1 (800) 899-3090
<https://www.hrsa-ila.com>

FUND SPONSORS

Hampton Roads Shipping Association
236 E Plume Street
Norfolk, VA 23510
Phone Number: (757) 622-2639

International Longshoremen's Association
1355 International Terminal Boulevard, Suite 201
Norfolk, VA 23505-1458
Phone Number: (757) 440-9420

A complete list of the employers and employee organizations sponsoring the Fund may be obtained by the participants and beneficiaries upon written request to the Fund Administrator, and is available for examination during business hours (8:30 a.m. to 5:00 p.m.) at the Fund's Administrative Office.

AGENT FOR SERVICE OF LEGAL PROCESS

Board of Trustees
HRSA-ILA Container Royalty Fund No. 1
1355 International Terminal Boulevard
Norfolk, VA 23505-1458
Phone Number: (757) 457-7090
Toll Free: 1 (800) 899-3090

Service of legal process also may be made on any member of the Board of Trustees.

The HRSA-ILA Board of Trustees may terminate, suspend, withdraw, amend or modify the Container Royalty Fund No. 1 in whole or in part at any time.