

U. A. LOCAL 447 VACATION BENEFIT PLAN
SUMMARY PLAN DESCRIPTION

Revised December 1, 2013

EIN 94-1342110 PLAN 501

The Plan is established under collective bargaining agreements between U. A. 447 and employers or employer associations. It is funded by employer contributions for eligible employees. The Plan is administered and maintained by a Joint Board of Trustees, consisting of equal numbers of Employer Trustees and Union Trustees. The Plan, originally effective December 19, 1956, has a designated fiscal year from December 1 through November 30.

VACATION BENEFITS

To be eligible for vacation benefits, an employee must work for one or more participating employers, and the employer(s) must make contributions to the plan on behalf of the employee. An eligible employee is entitled to payment of amounts contributed on his or her behalf by employers during the fiscal year, minus authorized transfers, plus a pro-rata share of earnings less administrative expenses. An annual payment is made to all eligible employees in December. Each employee is permitted to draw vacation benefits at other times as permitted by the Trustees, up to a maximum of two additional withdrawals during a fiscal year. If requested in writing, a special withdrawal will be authorized in the event of bona fide hardship or emergency. An employee leaving the jurisdiction of Local 447 may request vacation benefit payments sixty (60) days after leaving the jurisdiction.

SPECIAL PUPOSE ACCOUNTS – ORGANIZING FUND

If authorized in writing by the employee, the amount or amounts established from time to time by the membership of Local 447 are deducted from the employer contributions made to the Plan on behalf of that employee and transferred to a special purpose account or accounts owned by Local 447 and expressly designated on the authorization form. Trustee Jurisdiction does not include validation of the authorization procedure nor oversight of the use of funds.

CONTRIBUTIONS FOR RESIDENTIAL/LIGHT COMMERCIAL PARTICIPANTS

Effective July 1, 1994, the sum of \$.22 per hour is deducted from the contributions received for each general foreman, senior general foreman, foreman, journeyman, 9th period apprentice and 10th period apprentice. At the end of each fiscal year, the amount deducted, less certain administrative expenses, is divided among Residential/Light Commercial Participants based on the R/LC hours worked by that participant in relation to the total R/LC hours worked during the 12-month period ending on October 31 of the same fiscal year.

TRANSFERS TO SAVINGS ACCOUNTS

If an employee has established a savings account with Union Bank, the first \$1.43 per hour, or such other amount as may be established by the Trustees, is deducted from employer contributions on behalf of each eligible employee for each calendar month and deposited in a savings account in the name of that employee for all general foreman, senior general foreman, foreman, journeyman, 9th period apprentice and 10th period apprentice.

If an employee has established a savings account with Union Bank, all employer contributions on behalf of each eligible employee for each calendar month, less authorized deductions, and deposited in a savings account in the name of that employee for all 1st thru 8th period apprentice, Shopman, Tradesman, Refrigeration Serviceman, and R/LC employees.

If a traveler has established a savings account with Union Bank all contributions, less authorized deductions, are deposited in a savings account in the name of that employee.

UNCLAIMED BENEFITS

Vacation benefits unclaimed within three years of the date when they are due, or vacation checks uncashed within three years after the date of issuance, shall permanently revert to a pooled vacation fund; and if all administrative expenses have been covered, they shall be allocated on a pro-rata basis among eligible employees as additional earnings.

In the event of death of any employee who is entitled to vacation benefits, payment shall be made to the beneficiary designated by the employee under the terms of the U.A. Local 447 Health and Welfare Trust or under the terms of this Plan, whichever designation is later. If there is no designated beneficiary, any remaining benefits shall be paid to the employee's surviving spouse or legal representative.

ERISA RIGHTS

As a participant in U.A. Local 447 Vacation Benefit Plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants shall be entitled to:

Receive Information About Your Plan and Benefits

Examine, without charge, at the plan administrator's office and at other specified locations, such as worksites and union halls, all documents governing the plan, including insurance contracts and collective bargaining agreements, and a copy of the latest annual report (Form 5500 Series) filed by the plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.

Obtain, upon written request to the plan administrator, copies of documents governing the operation of the plan, including insurance contracts and collective bargaining agreements, and copies of the latest annual report (Form 5500 Series) and updated summary plan description. The administrator may make a reasonable charge for the copies.

Receive a summary of the plan's annual financial report. The plan administrator is required by law to furnish each participant with a copy of this summary annual report.

Prudent Actions by Plan Fiduciaries

In addition to creating rights for plan participants ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan participants and beneficiaries. No one, including your employer, your union, or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a (pension, welfare) benefit or exercising your rights under ERISA.

Enforce Your Rights

If your claim for a (pension, welfare) benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request a copy of plan documents or the latest annual report from the plan and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the plan administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the administrator. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or Federal court. In addition, if you disagree with the plan's decision or lack thereof concerning the qualified status of a domestic relations order or a medical child support order, you may file suit in Federal court. If it should happen that plan fiduciaries misuse the plan's money, or if you are discriminated against for asserting your rights, you may seek

assistance from the U.S. Department of Labor, or you may file suit in a Federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

Assistance with Your Questions

If you have any questions about your plan, you should contact the plan administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the plan administrator, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory or the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration

SERVICE OF PROCESS

Legal process may be served on any Trustee or upon the Plan Administrator, 5841 Newman Court, Sacramento, CA 95819 Phone (916) 457-0821

PLAN TERMINATION

This Plan may be terminated by the trustees, by the bargaining parties, or by operation of law. On termination, any funds remaining after payment of all administrative expenses shall be used to provide vacation benefits to eligible employees.

Examples:

Apprentice 1st period with valid Union Bank Savings Account:

Vacation Contributions	\$273.60
Less Special Purpose	
Accounts Deduction	<u>(\$118.40)</u>
Amount of Transfer to	
Union Bank Savings Account	\$155.20

Apprentice 8th period without valid Union Bank Savings Account:

Vacation Contributions	\$513.60
Less Special Purpose	
Accounts Deduction	<u>(\$118.40)</u>
Amount maintained in employee	
Vacation Benefit Fund at	
Trust Funds Office	\$395.20

Journeyman with valid Union Bank Savings Account:

Vacation Contributions	\$625.60
Less Special Purpose	
Accounts Deduction	(\$118.40)
Less Residential/Light	
Commercial Deduction	<u>(\$ 35.20)</u>
Amount of Transfer to	
Union Bank Savings Account	\$228.80
Amount maintained in employee	
Vacation Benefit Fund at	
Trust Funds Office	\$243.20

Foreman without valid Union Bank Savings Account:

Vacation Contributions	\$633.60
Less Special Purpose	
Accounts Deduction	(\$118.40)
Less Residential/Light	
Commercial Deduction	<u>(\$ 35.20)</u>
Amount maintained in employee	
Vacation Benefit Fund at	
Trust Funds Office	\$480.00

**All examples are based upon 160 straight time hours worked and deduction amounts in effect as of July 1, 2013.*

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