

PARTICIPATION

In order to participate in the Plan, you must satisfy the Plan's eligibility requirements and then "enter" the Plan. This section describes those eligibility requirements and explains when you may enter the Plan.

BASIC RULES FOR NEW HIRES

As an employee of a Plan Participating Employer, you become eligible to participate in the Plan when you:

- 1. Are at least 21 years old, and**
- 2. Are credited with at least 1,000 hours of service in your first year of service or in any Trust Year (which runs from April 1 to March 31).**

QUESTION: How does the Plan determine if I'm credited with at least 1,000 hours?

ANSWER: Effective April 1, 2009, for eligibility purposes only, the Plan uses an "equivalency method" that credits you with 190 hours for each month in which you would otherwise be credited with at least one "Hour of Service." An Hour of Service includes an hour of work for which you are paid, as well as certain hours for which you are paid but do not work (such as paid leave of absence, vacation, holiday, illness, incapacity, layoff, jury duty, or military duty). Prior to April 1, 2009, the Plan counted Hours of Service without using the equivalency method.

QUESTION: Do I have to wait until the end of the applicable 12-month period to determine whether I'm credited with 1,000 hours?

ANSWER: No. The Plan will count your hours each month. You will be considered to have satisfied requirement 2. above as of the month in which you reach 1,000 Hours of Service for the first year of service or Trust Year (as applicable).

QUESTION: Are you required to enter the Plan if you are eligible?

ANSWER: YES, the Plan has a mandatory participation rule. If you qualify for participation, you must "enter" the plan as a condition of your employment. There are two minor exceptions, one that applies to employees who participate in The Modified Contributory Retirement Plan for Cooperatives and another to employees of joint ventures who were excluded in connection with an application under the Internal Revenue Service's Voluntary Compliance Program. The Plan document provides further details regarding those limited exceptions.

QUESTION: Why is participation required?

ANSWER: The Plan must satisfy certain rules mandated by the Internal Revenue Service. Some of those rules require participating employers to satisfy certain tests. Under those tests, if even just one employer fails to cover enough employees, the whole Plan could be disqualified. To guarantee the safety of the Plan and to avoid costly testing procedures, the Retirement Committee adopted a general policy of requiring the participation of every eligible employee.

QUESTION: When do you enter the Plan?

ANSWER: You enter the Plan – becoming a Plan "participant" – on the first day of the second month after you satisfy the two basic rules for new hires (see left column). For example, if you are hired in May and reach 1,000 Hours of Service in October, you will become a Participant on December 1.

- *A special rule applies if you become employed by a Participating Employer as a result of that employer's acquisition of more than 50% of your previous employer or a merger with your previous employer. Under this special rule, the Participating Employer may elect to count your service with your*

prior employer for eligibility purposes and for you to become a Participant as early as the date you become employed by the Participating Employer (if you satisfy the eligibility requirements on that date).

QUESTION: *Once you join the Plan, can you voluntarily withdraw from it?*

ANSWER: No, you are required to continue your participation until one of the following events occur:

1. Your retirement, which requires that you be vested, and at least 55 years old or have 85 “points” under the Rule of 85;
2. Your termination of employment if you don’t meet the requirements for retirement (in 1 above);
3. Total and permanent disability (described in the “Disability Retirement” section of this SPD); or
4. Your death.

LEASED EMPLOYEES:

Under Federal law and the Plan’s terms, if your services are leased by a Participating Employer on a substantially full-time basis for a period of at least one year and are performed under the primary direction and control of the Participating Employer, you must be treated the same as an employee of the Participating Employer for purposes of the Plan. If so, your participation in the Plan will be required.

RULES FOR REHIRED EMPLOYEES:

A special plan entry rule applies if you:

- had previously satisfied the Plan’s eligibility rules during a past period of employment,
- terminated employment before becoming a Participant, and
- become reemployed by any Participating Employer.

If you meet these three requirements, you will enter the Plan on the later of two dates: (1) the date you were previously scheduled to become a Participant; or (2) your rehire date.

RULES FOR REHIRED PARTICIPANTS:

A special plan entry rule applies to you if you:

- previously participated in the Plan during a past period of employment,
- are later rehired by any Participating Employer, and
- were vested when you terminated your earlier employment or are rehired within five years of your previous termination from a Participating Employer.

If you meet these three requirements, you will reenter the Plan on your rehire date. This rule applies to any rehired participant, including retirees who are currently receiving monthly retirement checks from the Plan.