

MISCELLANEOUS PROVISIONS

- 15.01 **Availability of Documents.** Copies of the Plan and Trust Agreement, together with all amendments thereto, and annual reports and other information required to be furnished under ERISA, will be available to Participants at the administrative office of the Plan.
- 15.02 **Expenses of Administration.** The Expenses of administering the Plan will be paid from the Trust Fund.
- 15.03 **Employer-Employee Relationship Not Affected.** This Plan is not intended to affect in any way the Employer-Employee relationship between any Employee and Employer hereunder. This Plan shall not limit or expand any rights or obligations under any Collective Bargaining Agreement or other Agreement between those parties which may be in effect from time to time.
- 15.04 **He, Him, His, etc.** Whenever the fulfillment of the intent and purpose of this Plan requires, and the context will permit, use of the masculine gender includes the feminine and use of the singular includes the plural.
- 15.05 **Rights on Asset Transfer.** In the event of merger, consolidation or transfer of this Plan or the assets and liabilities of the Pension Fund into any other Plan and Trust, or vice versa, each Participant shall be entitled to receive a benefit under the successor or survivor plan immediately after the merger, consolidation or transfer no less than the benefit to which he would have been entitled had this Plan been terminated immediately prior to such merger, consolidation or transfer.
- 15.06 **Board Determinations Conclusive.** The Board of Trustees shall have full discretion and authority to determine questions concerning the interpretation or administration of this Plan, including without limitation, all questions relating to eligibility for Plan benefits, and the determinations of the Board shall be conclusive and binding as to all persons and for all purposes.
- 15.07 **Direct Rollover of Eligible Rollover Distribution.** This Section applies to distributions made on or after January 1, 1993. Notwithstanding any provision of the plan to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the plan administrator, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.
- (a) **Eligible Rollover Distribution.** An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Section 401 (a) (9) of the Code.
 - (b) **Eligible Retirement Plan.** An eligible retirement plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, or a qualified trust described in Section 401 (a) of the Code, that accepts the distributee's eligible rollover distribution. However, in the case of an eligible rollover distribution to the surviving spouse, an eligible retirement plan is an individual retirement account or individual retirement annuity.
 - (c) **Distributee.** A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.
 - (d) **Direct Rollover.** A direct rollover is a payment by the plan to the eligible retirement plan specified by the distributee.