



All Alaska Longshore Vacation & Holiday Trust

Summary Plan Description

January 1, 2013

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Trustees Letter

To All Alaska Longshore Vacation & Holiday Trust Participants:

We, the Board of Trustees of the All Alaska Vacation & Holiday Trust, are pleased to provide this booklet to you to explain your vacation and holiday benefits.

Please read the booklet carefully. It has been written to describe these benefits and provisions of the program as simply as possible. The collective bargaining agreement describes in detail your rights and the provisions of this plan. This plan complies with the Employee Retirement Income Security Act of 1974 and other applicable laws, regulations and amendments. Any omissions or oversights will be resolved according to these laws and regulations.

As Trustees, we have the sole and absolute discretion to amend, modify or terminate the Vacation & Holiday Trust or the benefits provided under the Vacation & Holiday Trust at any time, for any reason. We also have the sole and absolute discretionary authority to determine eligibility and the amount of benefits under the Vacation & Holiday Trust, to interpret the terms of the Vacation & Holiday Trust, and to rule on benefit exclusions and resolve ambiguities and inconsistencies in the Vacation & Holiday Trust.

Additionally, we have the sole and unreviewable discretionary authority to reduce benefits under this program if we determine that the total cost of providing the benefits during a year is likely to exceed contributions to the Vacation & Holiday Trust that same year.

Should you have any further questions after reading through this booklet, please contact the Administrative Office, A&I Benefit Plan Administrators, at 503-224-0048 or 800-547-4457.

Sincerely,
The Board of Trustees
All Alaska Longshore Vacation & Holiday Trust

Introduction and Eligibility

Introduction

Under the All Alaska Longshore Holiday & Vacation Trust, you earn vacation and holiday benefits based on the hours you worked during the previous year. Around March 15, you will receive a lump sum payment for vacation and holiday benefits you earned the previous year. The payment of vacation and holiday benefits is not related to the vacation or holiday time you took during a year. Rather, it is a once-a-year payment that you can use to supplement your income when you take a vacation or a holiday, or you can use that money for any other purpose and not take any time off.

Eligibility

To be eligible for vacation and holiday benefits, in addition to meeting the other requirements set forth on the following pages, you must either (a) be an active, registered longshoreman on December 31 of the year you earned the benefit or (b) have retired under the All Alaska Longshore Pension Plan during the year after working the required hours for a benefit or (c) be a registered longshoreman whose registration is canceled after he shall have fulfilled all requirements for a vacation during the previous payroll year

Vacation Benefits

Hours Used to Calculate Vacation Benefits

Qualifying Years of Service are years (January 1 through December 31) during which you work at least 552 hours. This includes hours that you receive pay as a longshoreman, clerk or other position under the applicable collective bargaining agreement, subject to some limitations.

The following nonworking time **will be included** when counting qualifying years of service:

- Continuous absence from employment because of industrial illness or injury arising out of employment under this contract compensated for under a state or federal compensation act;
- Service in the armed forces of the United States or employment by the United States as a civilian in longshore operation in World War II, Korean War and Vietnam, that occurs after registration;
- Hours at court as a juror, including waiting time under the court order and as certified by the clerk of the court; and
- Hours, as verified by the Trustee, you are employed as a full-time or part-time union official or by a welfare fund, pension fund or other joint entity of the parties. This includes time spent as a unit or local union official involved in scheduled joint employer/union meetings to be defined as J.P.L.R.C. Trust (Welfare, Pension and Vacation/ Holiday) and other scheduled joint meetings that are sanctioned by the respective J.P.L.R.C. The time spent at the following meetings is excluded: contract negotiations, e-boards, caucuses and other union businesses.

If you are unable to work because of illness, injury or Family and Medical Leave Act (FMLA) leave, you may receive credit for hours based on the average port hours worked by all All Alaska Longshore Vacation & Holiday Trust participants during your illness, injury or FMLA leave. To calculate average hours worked in a port, the following hours **will be excluded**:

- Participants who are paid less than 100 hours; and
- Hours worked by steady men or steady dispatchers in a port or hours outside of the port; and
- Hours spent on medical or disability leave, jury duty or union business.

No disability credit will be granted if you do not work at all during the benefit year.

Accumulating Weeks of Vacation

The weeks vacation benefit you receive depends on the number of hours you worked in the previous calendar year and how long you have been a registered longshoreman.

There are two parts to the vacation benefit: Basic vacation and additional vacation. Basic vacation is based on the number of hours you worked the previous year and your age. Additional vacation can be earned on top of basic vacation, and it is based on the number of hours you worked the previous years and the number of years you have been a longshoreman under a participating contract.

Basic Vacation

Basic Vacation for Longshoremen age 59 and Under

- You earn one week of vacation if you worked at least 800 hours but less than 1,300 hours in the previous calendar year;
- You earn two weeks of vacation if you worked 1,300 hours or more in the previous calendar year.

Basic Vacation for Longshoremen age 60 and Older

- You earn one week of vacation if you worked at least 700 hours but less than 1,100 hours in the previous calendar year;
- You earn two weeks of vacation if you worked 1,100 or more hours in the previous calendar year.

Modified Basic Vacation

In some ports there may not be enough work to earn enough hours for vacation eligibility. In these circumstances, the Vacation & Holiday Trust uses a different schedule to determine entitlement to basic vacation. If, in any January through December period the average hours for *all* of the All Alaska Longshore Vacation & Holiday Trust participants at a particular port are less than 1300, the Vacation & Holiday Trust will use the following schedule to determine vacation entitlement for that period.

Average number of hours that all participants in a port worked during the year...	...Weeks of paid vacation you receive
1200 - 1299 hours	If you worked 700 or more hours - One week If you worked 1200 or more hours -Two weeks
1100 - 1199 hours	If you worked 676 or more hours - One week If you worked 1100 or more hours -Two weeks
1000 - 1099 hours	If you worked 615 or more hours - One week If you worked 1000 or more hours -Two weeks
900 - 999 hours	If you worked 552 or more hours - One week If you worked 900 or more hours -Two weeks
800 - 899 hours	If you worked 552 or more hours - One week If you worked 800 or more hours -Two weeks
552 - 799 hours	One week
Less than 552	If you worked 800 or more hours - Two weeks

You are not eligible for vacation pay if you worked less than 552 hours in the previous year.

Additional Vacation

In addition to basic vacation, you can accumulate more vacation based on your years of service and working a minimum number of hours.

- One additional week of vacation:
 - You qualified for two weeks of basic vacation;
 - You have been available for work for 10 or more years either as a casual or registered longshoreman under the All Alaska Longshore contract, or one of its previous contracts;
 - You qualified for basic vacation as a registered longshoreman in five of the previous 10 years.

Qualifying Years of Service - Years (January 1 through December 31) during which you work at least 552 hours.

Plus

- One additional week of vacation:
 - You qualified for at least one week of basic vacation;
 - You have 17 or more **years of service**;
 - In each of any of the 17 years you qualified for at least one week of basic vacation under the All Alaska Longshore contract or one of its previous contracts as a registered longshoreman.

Or

- Two additional weeks of vacation:
 - You qualified for at least one week of basic vacation;
 - You have 23 or more **years of service**;
 - In each of any of the 23 years you qualified for at least one week of basic vacation under the All Alaska Longshore contract or one of its previous contracts as a registered longshoreman.

Or

- Three additional weeks of vacation:
 - You qualified for at least one week of basic vacation;
 - You have 25 or more **years of service**;
 - In each of any of the 25 years you qualified for at least one week of basic vacation under the All Alaska Longshore contract or one of its previous contracts as a registered longshoreman.

Six weeks is the maximum amount of vacation you can earn.

The following chart shows how you can accumulate additional vacation.

**Basic Vacation
1 or 2 weeks**

Plus

Additional Vacation

1 additional week

If you qualify for 2 weeks of basic vacation;
you have been available for work as either a registered or casual longshoreman for 10 or more qualifying
years of service;
and you qualified for vacation as a registered longshoreman in 5 of the previous 10 years.

Plus either

Additional Vacation 1 additional week

If you qualify for 1 week of basic vacation;
and you have 17 or more years of service;
and in each of any of the 17 years, you qualified for at least one week of basic vacation under the All
Alaska Longshore contract or one or more of its previous contracts as a registered longshoreman.

or

Additional Vacation 2 additional weeks

If you qualify for 1 week of basic vacation;
and you have 23 or more years of service;
and in each of any of the 23 years you qualified for at least one week of basic vacation under the All Alaska
Longshore contract or one of its previous contracts as a registered longshoreman.

or

Additional Vacation 3 additional weeks

If you qualify for 1 week of basic vacation;
and you have 25 or more years of service;
and in each of any of the 25 years, you qualified for at least one week of basic vacation under the All
Alaska Longshore contract or one of its previous contracts as a registered longshoreman.

Calculating Vacation Benefits

The pay rate used for calculating your vacation will be your pay rate, but it will be capped at the prevailing wage outlined in Appendix A of the applicable collective bargaining agreement. The current prevailing wage is \$33.04 (including, when permitted by the collective bargaining agreement, the \$1.50 hourly uniform skill rate).

If you are paid...	One week of vacation pay equals...
Eight hour straight time basis	40 times your pay rate
Six hour straight time and two hour overtime basis	45 times your pay rate

If you are unable to work because of injury or illness, your qualifying hours for vacation pay will be based on the average port hours worked by all of the All Alaska Longshore Vacation & Holiday Trust participants at that port during the period of your illness or injury.

For Example:

Bob has been a Registered Longshoreman for 18 years and he has 12 qualifying years of service. Bob is entitled to three weeks of vacation pay, because:

Vacation payments are subject to normal federal and state tax withholding.

- Basic Vacation - Bob worked more than 1300 hours during 2012. Therefore he is eligible for two weeks of basic vacation.

and

- Additional Vacation - Since Bob qualified for two weeks of basic vacation, has been available for work for 10 or more years under the All Alaska Longshore contract, and he qualified for basic vacation in five of the previous 10 years, he is eligible for an additional one week of vacation pay.

To calculate Bob's vacation check, we'll assume Bob is paid six hours straight time and two hours overtime per day (which means he will be paid for 45 hours of work per week) and that he earns \$35 per hour. Since Bob's pay is greater than the average prevailing rate, his vacation benefit will be calculated at the average prevailing rate of \$33.04 per hour.

Hours worked per week	x	Number of weeks of vacation	x	Hourly Rate	=	Vacation Pay
45	x	3	x	\$34.54	=	\$4662.90

Bob will receive around March 15, 2013 a lump sum check (less taxes) for his vacation pay.

Time of Payment for Vacation Benefits

No later than March 15, you will receive a lump sum check for the vacation and holiday benefits you earned the previous year.

Holiday Benefits

Accumulating Days of Holiday Benefits

The number of holidays that you are paid for in the current year depends on the hours you worked in the previous year. See the table below to compute your holiday benefit:

Minimum hours you worked last year...	Number of paid holidays you receive this year...
200	2
300	4
400	5
500	7
600	8
700	10
800	11
900	12

Calculating Holiday Benefits

The amount of your holiday benefits check is determined by multiplying the number of days you qualify for times your pay rate.

The pay rate used for calculating your holiday benefit will be your pay rate, but it will be capped at the prevailing wage outlined in Appendix A of the applicable collective bargaining agreement. The current prevailing wage is \$33.04 per hour (including, when permitted by the collective bargaining agreement, the \$1.50 hourly uniform skill rate).

If you are unable to work because of injury or illness, your qualifying hours for holiday pay will be based on the average port hours worked by *all* of the All Alaska Longshore Vacation & Holiday Trust participants at that port during the period of your illness or injury.

For Example

Stanley worked 825 hours during the year 2012 and his hourly rate is \$35 per hour. His holiday pay is based on the prevailing wage of \$33.04 per hour. He is paid on an eight hours straight time basis. Stanley's holiday pay will be calculated as follows:

Days of Holiday	x	Hourly rate x 8 (hours per day)	=	Holiday Pay
11	x	34.54 x 8	=	\$3,039.52

Around March 15, 2013, Stanley will receive a lump sum check for (less taxes) for his holiday benefits.

Time of Payment for Holiday Benefits

No later than March 15, you will receive a lump sum check for the vacation and holiday benefits you earned the previous year.

*benefit payments are
subject to normal federal
and state tax
withholding.*

Review of Claims Decision

You do not have to apply for benefits. If you are eligible for a Holiday & Vacation benefit, you will receive a check in the mail around March 15 of the next year. If you believe your payment was the wrong amount or you were eligible for benefits and did not receive payment, your first step should be to call A&I and have the matter settled informally.

If, after you contact A&I:

- You do not agree that you are not eligible for benefits; or
- You believe you did not receive the full amount of benefits that you are entitled; or
- You believe you are adversely affected by any action of the Trustees; you have the right to request the Trustees hold a hearing.

*To contact A&I
Benefit Plan
Administrators,
call 503-224-0048
or 800-547-4457*

Your request for a hearing must be made in writing, within 60 days after learning of the original decision. The Trustees will conduct a hearing and you can choose to be represented by an attorney or by any other representative.

After the hearing has taken place, the Trustees will issue a written decision affirming, modifying or denying their original decision.

Appeal to Arbitration

If you are dissatisfied with the written decision of the Trustees, you have the right to appeal the matter to arbitration according to the Labor Arbitration Rules of the American Arbitration Association. You must first submit a request for arbitration to the Trustees, in writing, within 60 days of receiving the written decision that was made following your hearing before the Board of Trustees. If you request an appeal to arbitration, the Trustees will submit to the arbitrator a certified copy of the record on which the Trustees' decision was made.

The arbitrator will consider whether the Trustees' decision was:

- In error on an issue of law;
- Arbitrary or capricious or
- Unsupported by substantial evidence.

The decision of the arbitrator is final and binding upon the Trustees, you, and all other parties who are affected by the decision.

Administrative Information

The terms of the Summary Plan Description and the collective bargaining agreement make up the Plan Document. If there is an inconsistency between the Summary Plan Description and the collective bargaining agreement, the language of the collective bargaining agreement will control.

Name of Plan

This plan is known as the Alaska Longshore Vacation & Holiday Trust.

Plan Sponsor

This vacation and holiday benefit program is sponsored and administered by a joint labor-management Board of Trustees. The name, address and telephone number of the Board is:

Board of Trustees Alaska Longshore Holiday & Vacation Trust c/o A & I Benefit Plan Administrators, Inc. 1220 S.W. Morrison, Suite 300 Portland, OR 97205 503-224-0048 or Toll Free Outside Portland 1-800-547-4457.

Participating Employer

You may obtain information about whether a particular employer or employee organization participates in the Trust, and that employer's or employee organization's address, by written request to the Trustees. The Trustees may apply a reasonable charge to cover the cost of providing this information.

Employer Identification Number

92-6027179

Plan Number

501

Type of Plan

This plan is an employee welfare benefit plan that provides vacation and holiday pay for eligible registered longshoremen.

Plan Year

The fiscal year of the plan starts on January 1 and ends on December 31 each year.

Description of Collective Bargaining Agreements

This Vacation & Holiday Trust is maintained pursuant to the terms of the All Alaska Longshore Agreement between employers and the Alaska Longshore Division of the International Longshoremen and Warehousemen's Union. These agreements require that employers make contributions to this Trust for the purpose of allowing employees working under the Agreement to participate in the All Alaska Longshore Vacation & Holiday Trust. The contribution rates are listed in the Agreement. Your rights, if any, to participate in the Vacation & Holiday Trust are outlined in the Agreement. A copy of the Agreement requiring contributions to this Trust can be obtained from the Union or from the Administrative Office, A&I, for a reasonable charge.

Plan Administrator

This plan is administered by the joint Board of Trustees. The Board of Trustees is the Plan Administrator.

The Board of Trustees has the exclusive right, power and authority in their sole and absolute discretion, to administer, apply and interpret the Vacation & Holiday Trust, and all other documents that describe this Trust Fund. The Trustees may decide all matters arising in connection with the operation or administration of the Trust Fund. The Trustees may, in their sole discretion, amend the Trust Fund by a majority vote of the Trustees. Without limiting the rights just described, the Trustees may also:

- Take all actions, and make all decisions, with respect to the eligibility for, and the amount of, benefits reimbursed under the Trust Fund;
- Formulate, interpret and apply rules, regulations and policies necessary to administer the Trust Fund according to the terms of the Trust Fund;
- Decide questions, including legal or factual, relating to the calculation of Trust Fund benefit payments;
- Resolve and or clarify any ambiguities, inconsistencies and omissions arising under the Trust Fund or other Trust Fund documents;
- Process and approve or deny benefit claims, and decide any benefit exclusions.

All determinations made by the Trustees with respect to any matter arising under the Trust Fund, and any other Trust Fund document, will be final and binding on all parties.

From time to time the Trustees may find it advisable to change the benefit provisions

of the plan. In the event this occurs, you will be informed of any changes by mail.

A&I Benefit Plan Administrators will assist the Trustees with the day-to-day administration of the Trust Fund. A&I Benefit Plan Administrators employees, however, are not Vacation & Holiday Trust fiduciaries. You can contact A&I Benefit Plan Administrators at:

A & I Benefit Plan Administrators, Inc.
1220 S.W. Morrison, Suite 300
Portland, OR 97205
503-224-0048 or 800-547-4457

Employer Trustees

Jeff Bentz
North Star Terminal
790 Ocean Dock Rd
Anchorage, AK 99501

Les Cronk
Southeast Stevedore
PO Box 8080
Ketchikan, AK 99901

Union Trustees

Chuck Wendt
ILWU
PO Box 1367
Seward, AK 99664

Dennis Young
2270 Innes Cir
Anchorage, AK 99515

Name and Address of Agent for Service of Legal Process

Each member of the Board of Trustees is designated as an agent for purposes of accepting service of legal process on behalf of the Holiday & Vacation Trust. The names and addresses of the Trustees are listed on the previous page. Legal process may also be served on:

A & I Benefit Plan Administrators, Inc. 1220 S.W. Morrison, Suite 300 Portland, OR 97205 503-224-0048 or 800-547-4457

or

Bruce McKenzie
McKenzie Rothwell Barlow and Coughran, P.S.
1325 Fourth Avenue, Suite 910
Seattle, WA 98101

Plan Funding

This Holiday & Vacation Trust is funded through employer contributions, the amount of which is determined through collective bargaining between participating employers and labor organizations, and which is specified in the underlying collective bargaining agreement. The employer contributions and investment income from Trust assets are held in trust for the benefit of eligible plan participants.

Holiday & Vacation Trust benefits can be paid only to the extent that the Trust Fund has adequate resources available for payments. The availability of vacation and holiday benefits depends entirely upon the Trust receiving the employer contributions that are required by the collective bargaining agreement. No contributing employer has liability, directly or indirectly, to provide the benefits established in this Trust, beyond the obligation to make contributions as stipulated in its collective bargaining agreement.

Circumstances That May Result in Ineligibility or Denial of Benefits

You earn vacation and holiday benefits during the previous calendar year. You may become ineligible as a result of one or more of the following circumstances:

- You do not work enough hours to earn vacation (see pages 4-6) or holiday pay (200 hours) the next year.

Additionally, benefits may be limited or reduced if during a year (January 1 - December 31) the Trustees determine that the total cost to provide the benefits during the year is likely to exceed contributions to this Holiday & Vacation Trust during that same year.

Termination of the Plan

The Board of Trustees of the Alaska Longshore Vacation & Holiday Trust fully intend to continue this Trust. To guard against unforeseen circumstances, however, the Trustees reserve the right to change, suspend or terminate the Trust at any time, subject to any limitations outlined in the applicable collective bargaining agreement.

The Board of Trustees will terminate the Trust with the expiration of all collective bargaining agreements requiring payment of contributions to the Trust Fund.

If the Holiday & Vacation Trust is changed, suspended or terminated, any legitimate

claims incurred prior to that event will be paid according to the provisions of the plan documents, contracts and policies. Benefit payments will be paid to you. After termination of the Trust Fund, the Trustees will handle final matters of the Trust. Any and all money and assets remaining in the Trust Fund, after payment of expenses, will be used to continue benefit coverage provided by the existing benefit programs, until all the money and assets have been used up, unless some other purpose for the money is required by regulations of the Secretary of Labor.

Statement of ERISA Rights

As a participant in the All Alaska Longshore Holiday & Vacation Trust you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants will 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 work sites 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 Plan 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 plan. The people who operate your plan, called fiduciaries, 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 or welfare benefit or exercising your rights under ERISA.

Enforce Your Rights

If your application for a vacation or holiday 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 Plan Administrator. If you have a claim for benefits that is denied or ignored, in whole or in part, you may request arbitration before the American Arbitration Association as described on pages 12 and 13. 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 the plan benefit, you should contact the Administrative Office. 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.

You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration at 1-800-998-7542.

