

## PLAN INFORMATION AND YOUR RIGHTS UNDER ERISA

ERISA – The Employee Retirement Income Security Act of 1974 – is a federal law that regulates employee benefit plans. ERISA requires that Summary Plan Descriptions contain certain information.

The Plan's official name is the Co-op Retirement Plan. The plan number that identifies the Plan is 001. The Plan is a multiple-employer contributory defined benefit plan.

The organization that sponsors the Plan is United Benefits Group. The employer identification number assigned to United Benefits Group is 01-0689331. A complete, updated list of the employers participating in the Plan is available to participants and beneficiaries upon written request to the Plan Administrator, and is available for examination at the Plan Administrator's office or online at <http://www.co-opretirementplan.com> or <http://ubg.net>.

The Plan Administrator is the Co-op Retirement Plan Retirement Committee. Committee members are appointed by the Board of Directors of United Benefits Group and may be contacted by writing in care of the Co-op Retirement Plan, P.O. Box 169005, Kansas City, Missouri 64116-9005; or you may call (800) 816-5535 during business hours. The Retirement Committee has been designated as agent for service of legal process and may be served at the address in the previous sentence. Service of legal process may also be made upon the Trustee or Plan Administrator.

The Plan Trustee is JPMorgan Chase Bank. The Trustee's address is 1 Chase Manhattan Plaza, 19<sup>th</sup> Floor, New York, NY 10005-1401, and its phone number is (212) 552-0229. The Trustee maintains the Co-op Retirement Plan Trust, in which the Plan's assets accumulate in order to provide benefits.

Fiscal records for the Plan are maintained on an annual basis, from April 1 to March 31.

As a participant in the Co-op Retirement Plan you are entitled to certain rights and protections under 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 all documents governing the plan 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 Pension and Welfare Benefit 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.
- Obtain a statement telling you whether you have a right to receive a pension at normal retirement age (typically, age 65) and if so, what your benefits would be at normal retirement age if you stop working under the plan now. If you do not have a right to a pension, the statement will tell you how many more years you have to work to get a right to a pension. This statement must be requested in writing and is not required to be given more than once every twelve (12) months. The plan must provide the statement free of charge.

### **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 benefit or exercising your rights under ERISA.

### **Enforce Your Rights**

If your claim for a pension 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 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 that 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 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 for the Pension and Welfare Benefits Administration.

## **YOUR BENEFITS ARE PROTECTED**

Your benefits under the Plan may not be assigned, pledged as collateral for loans, encumbered, or in any other way alienated. The Plan’s purpose is to provide retirement income and it can be used for no other purpose. However, the Plan is required to obey any Qualified Domestic Relations Order (“QDRO”), which may force it to pay part of your benefit to your former spouse. Participants and beneficiaries can obtain from the Plan Administrator, without charge, a copy of the Plan’s procedures governing QDROs. You should obtain competent legal counsel before going to divorce court.

### **BENEFITS GUARANTEED**

As mentioned earlier, your benefit is not dependent upon the performance of the Plan’s investments. Your benefit is, instead, determined under the Plan’s formula. Each year

an independent actuary reviews the Plan to make sure that contributions are sufficient to fund these benefits when you reach retirement age.

The participating employers in the Co-op Retirement Plan have voluntarily agreed to make contributions to the Plan sufficient to provide the Plan with assets with which to pay pension benefits to Plan participants. Although the Board of Directors of United Benefits Group has not expressed any intent to terminate the Plan, it may do so at any time. If the Plan is terminated, the assets of the Plan will be allocated to provide benefits according to the following priorities:

1. Benefits attributable to employee contributions;
2. Benefits that have been payable for at least three years before Plan termination or that could have been payable for such 3-year period had the retired or terminated participant not elected to defer commencement of benefits;
3. Vested benefits insured by the Pension Benefit Guaranty Corporation;
4. All other benefits earned to date of termination under provisions in effect five years prior to such termination date;
5. All other benefits earned to date of termination under provisions effected more recently than five years prior to date of termination; and, then
6. Any other accrued benefits.

The Board of Directors does not expect to have to terminate or temporarily suspend the Plan, and while further benefit accruals could be reduced, no Plan alteration can reduce benefits already earned. If the Plan were terminated, all participants would immediately become fully vested.

Similarly, your employer has the right to terminate or suspend its participation in the Plan. While this could result in the cessation of further benefit accruals, your benefits already accrued may not be reduced. If your employer

terminates its participation in the Plan, you would immediately become fully vested if your employer participated in the Plan for at least five years.

Your pension benefits under this plan are insured by the Pension Benefits Guaranty Corporation (PBGC), a federal insurance agency. If the Plan terminates (ends) without enough money to pay all benefits, the PBGC will step in to pay pension benefits. Most people receive all of the pension benefits they could have received under their plan, but some people may lose certain benefits.

The PBGC guarantee generally covers: (1) Normal and early retirement benefits; (2) disability benefits if you become disabled before the plan terminates; and (3) certain benefits for your survivors.

The PBGC guarantee generally does not cover: (1) Benefits greater than the maximum guaranteed amount set by law for the year in which the plan terminates; (2) some or all of benefit increases and new benefits based on plan provisions that have been in place for fewer than five years at the time the plan terminates; (3) benefits that are not vested because you have not worked long enough for the company; (4) benefits for which you have not met all of the requirements at the time the plan terminates; (5) certain early retirement payments (such as supplemental benefits that stop when you become eligible for Social Security) that result in an early retirement monthly benefit greater than your monthly benefit at the plan's normal retirement age; and (6) non-pension benefits, such as health insurance, life insurance, certain death benefits, vacation pay, and severance pay.

Even if certain of your benefits are not guaranteed, you still may receive some of those benefits from the PBGC depending on how much money your plan has and how much the PBGC collects from employers.

For more information about the PBGC and the benefits it guarantees, ask your plan

administrator or contact the PBGC's Technical Assistance Division, 1200 K Street N.W., Suite 930, Washington, D.C. 20005-4026 or call 202-326-4000 (not a toll-free number). TTY/TDD users may call the federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4000. Additional information about the PBGC's pension insurance program is available through the PBGC's website on the Internet at <http://www.pbgc.gov>.