

NEW STYLE

B. ELIGIBILITY.

Exclusions

The term "Eligible Employee" shall not include (Check items **B.1 - B.4** as appropriate):

1. Union Employees

- a. Any Employee who is included in a unit of Employees covered by a collective bargaining agreement, if retirement benefits were the subject of good faith bargaining, and if the collective bargaining agreement does not provide for participation in this Plan.
- b. The union employees exclusion listed above applies for the following purposes:
 - i. Elective Deferrals and Voluntary Contributions.
 - ii. Matching Contributions.
 - iii. Profit Sharing Contributions.

2. Leased Employees

- a. Any Leased Employee (as defined in Article 2).
- b. The Leased Employees exclusion listed above applies for the following purposes:
 - i. Elective Deferrals and Voluntary Contributions.
 - ii. Matching Contributions.
 - iii. Profit Sharing Contributions.

3. Non Resident Alien

- a. Any Employee who is a non-resident alien who received no earned income (within the meaning of Code section 911(d)(2)) which constitutes income from services performed within the United States (within the meaning of Code section 861(a)(3)).
- b. The non-resident aliens exclusion listed above applies for the following purposes:
 - i. Elective Deferrals and Voluntary Contributions.
 - ii. Matching Contributions.
 - iii. Profit Sharing Contributions.

4. Other Exclusions

Other Employees: _____.

NOTE: If selected, describe other excluded Employees from definition of Eligible Employee and indicate for what purposes (e.g., Elective Deferrals, Matching, etc.) the Employees are excluded.

NOTE: See Section 3.06(a) for rules regarding excluded employees.

5. Opt-Out.

An Employee may not irrevocably elect not to participate in the Plan: All prior irrevocable elections shall remain in effect after the date of adoption of the Plan.

Other Employer Service

6. Additional Service

- a. Count a maximum of five years of service with employers other than the Employer for eligibility purposes:
 Yes No
- b. If "Yes", list other employers and indicate for what purposes (e.g., Elective Deferrals, Matching, etc.) the service applies: _____

Break in Service

7. Rule of parity

Exclude eligibility service before a period of five (5) consecutive One-Year Breaks in Service/Periods of Severance if an Employee does not have any nonforfeitable right to the Account balance derived from Employer contributions.

Yes No

8. One-year holdout.

If an Employee has a One-Year Break in Service/Period of Severance, exclude eligibility service before such period until the Employee has completed a Year of Eligibility Service after returning to employment with the Employer.

Yes No

NOTE: B.8 applies for purposes of eligibility to receive Matching Contributions and Profit Sharing Contributions only.

Special Participation Date

9. Immediate Participation

a. Allow immediate participation for all Eligible Employees employed on a specified date:

Yes No

b. If "Yes", all Eligible Employees employed on _____ shall become eligible to participate in the Plan as of _____.

c. Does the Plan provide any conditions or limitations on immediate participation:

Yes No

d. If "Yes", describe the conditions or limitations and indicate for what purposes (e.g., Elective Deferrals, Matching, etc.) the conditions or limitations apply: _____.