

GUIDE TO YOUR BENEFITS

FROM THE

SEAFARERS VACATION PLAN



July 2019

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INTRODUCTION

This booklet describes the benefits available to you from the Seafarers Vacation Plan.

The Seafarers Vacation Plan is a multi-employer employee benefit plan. It provides vacation benefits to employees of employers who have collective bargaining agreements with the Seafarers International Union of North America, Atlantic, Gulf, Lakes, and Inland Waters ("SIU" or "Union"), or affiliated unions. The Plan is funded through contributions made by these employers. The assets of the Plan are held in trust for the participants.

This booklet contains important information about your vacation benefits. Read it carefully and keep it for future use. You may also view the booklet online at www.seafarers.org (*About / Benefit Plans / Vacation Plan*). In the event of any significant changes to these benefits, the Plan will mail you a notice of the changes; or, if you have consented, will email these notices to you. Notice of benefit changes will also be posted online at www.seafarers.org. If you have questions, contact the Plan at 301-899-0675. Please note that the most updated version of this Summary Plan Description booklet is always on the Seafarers website.

For disabled participants, this book also is available in large print and recorded versions. To request these versions, you can contact the Plan at 301-899-0675 or via mail at:

Seafarers Vacation Plan
5201 Auth Way
Camp Springs, Maryland 20746

Language translation services are available for participants who need assistance with English. See the Appendix of this booklet for more information or call 301-899-0675.

This booklet is referred to as the Summary Plan Description or SPD. This booklet is only a summary of the Seafarers Vacation Plan. The Rules and Regulations of the Plan and the Trust Agreement, together with laws that apply to benefit plans, control the payment of benefits.

INFORMATION YOU SHOULD BE AWARE OF

The Seafarers Vacation Plan is directed by a group of people called the Board of Trustees. The Board of Trustees has the absolute authority to make changes to the Plan. As of the date of this booklet, the members of the Board of Trustees are:

Hazel Galbiso
Georg Kenny
Bryan Powell
George Tricker
Jeff Turkus
Pat Vandegriff
Chris Westbrook

William Cole
Ed Hanley
Rudy Leming
Kevin McMonagle
Damon Mote
Anthony Naccarato
Melissa Serridge

The members of the Board of Trustees are called *fiduciaries*. As fiduciaries, they have a duty to make prudent decisions regarding the Plan and to act in the best interest of the participants.

The Board of Trustees appoints a person to take care of the daily operations of the Plan. This person is called the Plan Administrator. The Administrator of the Seafarers Vacation Plan is Margaret R. Bowen.

You can contact the Board of Trustees and the Administrator at:

Seafarers Vacation Plan
5201 Auth Way
Camp Springs, Maryland 20746
(301) 899-0675

Legal process may be served on the Plan Administrator or the Board of Trustees at the above address. Since the Plan's records are kept on a calendar year basis the end of the Plan year is December 31.

The Internal Revenue Service identification number for the Seafarers Vacation Plan is 13-5602047.

WORDS YOU NEED TO UNDERSTAND

beneficiary—the person or persons that you choose to have any vacation benefits paid to after your death as shown on your latest Seafarers Vacation Plan application OR as indicated on the three Plans' Seafarers Beneficiary Form. Please note that for purposes of payment of your vacation benefit, the Plan will recognize the most recent designation made on either the beneficiary form or the vacation application.

boatman or inland—an employee who is employed aboard a dredge, tugboat, towboat, or other similar vessel used to tow, propel, or push barges or similar vessels. Includes employees who work on vessels to assist merchant vessels to dock or undock and other shoreside employees associated with the operation of these vessels.

covered employment—days that you worked for a signatory employer.

discharge—United States Coast Guard Certificate of Discharge.

employee—a person who is, or was, working for a signatory employer, and is, or was, covered by the Plan (also referred to as "seafarer").

participant—a person who is eligible, or may become eligible, to receive benefits from the Plan.

Plan—the Seafarers Vacation Plan (also referred to as "SVP").

seaman or deep sea—an employee who is employed aboard an American Flag Merchant Ship on the oceans (Deep Sea) or Great Lakes, or who is employed in a Shore Gang.

signatory employer—an employer who agrees to make payments to the Plan so that their employees will receive benefits.

spouse—The person to whom you are legally married or the Plan will recognize your common law marriage if it is established by state law.

HOW DOES A SEAMAN OR GREAT LAKES SAILOR BECOME ELIGIBLE FOR VACATION BENEFITS?

To become eligible for vacation benefits, a Deep Sea seaman or Great Lakes sailor must have credit for at least **60 days of employment during a 15-month period**. It does not matter if the 60 days of employment is with one employer or several employers, as long as each employer pays into the Plan for vacation benefits.

HOW DOES A BOATMAN BECOME ELIGIBLE FOR VACATION BENEFITS?

To become eligible for vacation benefits, a Boatman must have credit for at least **75 days of employment during a 15-month period**. It does not matter if the 75 days of employment is with one employer or several employers, as long as each employer pays into the Plan for vacation benefits.

CAN I RECEIVE VACATION BENEFITS FOR UNEARNED WAGES?

You may be eligible to receive vacation benefits for unearned wages. Check your collective bargaining agreement to see if you qualify for the vacation benefit for unearned wages.

HOW MUCH CAN A SEAMAN RECEIVE AS A VACATION BENEFIT?

A seaman can figure their vacation benefit by following these steps:

1. *Multiply* the monthly base wage or monthly base benefit wage (which is listed in your collective bargaining agreement) for your rating by 12. This is your annual base wage.
2. *Divide* the result of step one by 365. This is your daily base wage.
3. *Multiply* the result of step two by the number of vacation days stated in your contract. This is your monthly vacation amount.
4. *Divide* the result of step three by 30. This is your daily vacation amount.
5. *Multiply* the result of step four by the number of days you have worked. This is the amount of your vacation benefit.

Example:

Lloyd is a seaman who has worked 125 days. His base wage is \$2,400 per month.

- To figure his vacation benefit, he *multiplies* \$2,400 by 12 to find his base wage of \$28,800 per year.
- He then *divides* \$28,800 by 365 to find his base wage of \$78.90 per day. Lloyd checks his contract to find that it provides for 14 days of vacation for every thirty days of work.
- He then *multiplies* \$78.90 by 14 to find his vacation amount of \$1,104.60 per month.
- After *dividing* \$1,104.60 by 30, Lloyd finds his vacation amount of \$36.82 per day.
- Finally, Lloyd *multiplies* \$36.82 by the 125 days he has worked and finds that he has \$4,602.50 as a vacation benefit.

HOW MUCH CAN A BOATMAN RECEIVE AS A VACATION BENEFIT?

The amount that a Boatman can receive as a vacation benefit is determined by the collective bargaining agreement between their employer and the Seafarers International Union of North America, Atlantic, Gulf, Lakes and Inland Waters ("SIU" or "Union"). For help in figuring your vacation benefit, check with your local port office or call the Vacation/Records department at 301-899-0675.

HOW MUCH CAN A GREAT LAKES SAILOR RECEIVE AS A VACATION BENEFIT?

The amount that a Great Lakes sailor can receive as a vacation benefit is determined by the collective bargaining agreement between their employer and the Seafarers International Union of North America, Atlantic, Gulf, Lakes and Inland Waters ("SIU" or "Union"). For help in figuring your vacation benefit, check with your local port office or call the Vacation/Records department at 301-899-0675.

HOW DO I APPLY FOR BENEFITS?

Your application for benefits must be filed within 15 months following the date you were discharged from the earliest voyage for which you are applying. However, if you are unable to apply for benefits because you are on board a vessel, you must apply for benefits within 90 days following the end of your voyage or before you sign up for another voyage, whichever comes first.

To receive vacation benefits, follow these steps:

1. File an application with the Plan. You can obtain an application from either your local port office, the Plan's main office, or online at: www.seafarers.org (About / Benefit Plans / Applications).
2. Complete and sign the application.
3. Include with your application photocopies of your discharges and pay vouchers. If you are missing certain discharges or pay vouchers, you may submit a letter from your employer that shows your days of employment. Your pay vouchers and any letters from your employer must include the name of the vessel, your rating, and the dates of your employment.
4. Take your completed application to your local port. The port representative will check, verify, and sign your application before forwarding it to the Plan's office for processing.

CAN MY VACATION BENEFIT BE SENT AS A DIRECT DEPOSIT TO A BANK ACCOUNT?

At any time, you can request that your current or future vacation benefit(s) be sent as a direct deposit to your bank account.

To elect this option, follow these steps:

1. Log into your Seafarers member portal;
2. Click on vacation tab;
3. Choose direct deposit;
4. Enter your bank account information. **Double check that all numbers entered are correct as it is your responsibility to verify that this is your correct bank account.** Your banking information is not visible in the system to anyone but you.
5. When you choose the direct deposit option, a prenote will be sent to your bank to verify that the account information is correct and it will take up to 7 days for verification. If you submit a vacation application during this 7 days period, your application will be pended during that time. The Plan only sends a prenote the *first time* you enter your bank account information. If you *change* your bank account information after it has been entered in the member portal, a prenote will be sent again.
 - o **NOTE:** The bank does not have to respond to the prenote and if they do, they only have to verify that the routing number and account number are associated with their bank. **They do not have to verify that the bank account holder's name is the same as your name. This is why it is very important that you double check that you are entering the correct bank account information.**

For example, if you entered the correct routing number for your bank but you incorrectly entered **your** account number, *but* it is an account number associated with that bank, then the bank will **not** reject that prenote. Your benefit would then be deposited in someone else's bank account and the Plan will not be able to assist you with retrieving the money nor will it be liable for an additional benefit.

The direct deposit account information stays in effect for all future vacation applications until one of the following events occur:

- You change the bank account information in the member portal; **OR**,
- You change it to the paper check option in the member portal; **OR**,
- The bank account information is marked as invalid by the Plan due to the bank notifying us that the information is not correct after a prenote is sent.
 - **NOTE:** If the bank notifies the Plan that the bank information is incorrect or invalid, your bank information in the portal will be marked as *invalid* and an email will be sent to you to notify you of this event. You have 14 days to enter in new bank account information. If you do **not** enter it within 14 days, your account will automatically revert back to the paper check option.

If you have any questions on these procedures, please contact the Vacation/Records department at 301-899-0675.

SHOULD I KEEP COPIES OF MY VACATION BENEFITS?

It is important to keep copies of your vacation benefit checks in case you need them for proof of covered service under an affiliated Plan. Effective June 16, 2002, certain **seamen** whose employers are contributing at the required rate, **and** have accumulated at least 3,000 days of actual seetime, may be eligible to receive *pension service credit* for each day of vacation benefits (this does not apply to eligibility for the deferred vested pension). In addition, the amount you receive in vacation benefits will be **added to your** average base monthly earnings, which is used to determine the wage-related pension benefit.

For more information about supplemental service credit, review the Seafarers Pension Plan Summary Plan Description Booklet (Guide) online at: www.seafarers.org (*About / Benefit Plans / Seafarers Pension Plan*). You may also request a copy of the booklet from your local port office or the Plan's main office.

UPON MY DEATH, WHAT HAPPENS TO BENEFITS I HAVE EARNED?

Upon your death, your beneficiary can collect any uncollected vacation benefits you had earned. Your last designated beneficiary will receive a vacation benefit based upon the number of days that you worked. *(For more information, refer to "beneficiary" definition on page 3.)* If you do not name a beneficiary, the benefits you have earned will be paid to your heirs.

To receive your vacation benefits, your beneficiary or the person representing your estate must file an application with the Plan's office within the 15-month application period.

IF I RETIRE, WHAT HAPPENS TO BENEFITS I HAVE EARNED?

If you retire on a pension from the Seafarers Pension Plan and you do not have credit for enough days to become eligible for a full vacation benefit, you can collect a benefit based on the number of days you worked.

To receive your vacation benefit, you must file an application with the Plan's main office within the 15-month application period.

CAN I HAVE THE PLAN GIVE MY VACATION BENEFITS TO SOMEONE ELSE?

Generally speaking, you cannot have the Plan give your vacation benefits to someone else. However, there are certain exceptions.

You can have the Plan pay union initiation fees, quarterly dues, working dues, and SPAD contributions from your vacation benefits. Payments also can be made from your vacation benefits to an organization that is related to the Plan such as the Seafarers Money Purchase Pension Plan, Seafarers Disaster Fund, or Seafarers Health and Benefits Plan. To have payments made from your benefits, you must first file an Assignment Form with the Plan. The Assignment Form must show both the organization's name and the amount of money you want the Plan to pay them.

CAN MY VACATION BENEFITS BE TAKEN FROM ME?

By law, the Plan must honor all lawful liens, attachments, or garnishments. The Internal Revenue Service can place a *tax lien* against your vacation benefits. In addition, your vacation benefits can be attached to pay other legal obligations such as alimony, child support, state taxes, and other lawful debts.

If the Plan receives an attachment, you will be notified in writing. If that attachment is an IRS tax levy or a Child Support Income Assignment Order, the Plan will hold the Order indefinitely until the Order is modified or released. The Plan may deduct the stated amount from each benefit check until the Order is modified or released.

All other attachments, garnishments, or liens, will be held by the Plan for a 15 month period. If you apply for a vacation benefit within this 15 month period, the Plan will deduct the stated amount from your benefit check.

After making this deduction, the Plan will send you a statement that shows the amount paid towards the debt.

WHAT RIGHTS DO I HAVE IF THE PLAN DENIES MY APPLICATION FOR BENEFITS?

If your application for benefits is denied, you have the right to appeal the Plan's decision to the Plan's Board of Trustees.

If the Plan denies your application, a written explanation will be sent to you. If you believe that the Plan should have approved your application, you can request a review by the Trustees. You must make your request in writing and you must send it within 90 days of the date your application was denied. You may include any documents or information that supports your position. When making your request, you should include any supporting documentation you have.

Your application will be reviewed by the Trustees. They will look at all information that they receive from you or anyone else. After completing their review, the Trustees will make their final decision and will notify you in writing.

Your written appeal should be sent to:

Board of Trustees
Seafarers Vacation Plan
5201 Auth Way
Camp Springs, Maryland 20746

Any legal action based upon the Plan's denial of benefits must be commenced no later than two (2) years after your appeal is denied by the Plan's Board of Trustees.

WHAT HAPPENS IF I RECEIVE AN OVERPAYMENT FROM THE PLAN?

You are responsible to reimburse the Plan for any overpayment made to you. The Plan may take such action as withholding future benefits or deducting the overpayment from any benefits due to your beneficiary after your death.

HOW WILL THE PLAN NOTIFY ME IF THERE ARE ANY CHANGES IN MY BENEFITS?

If the Trustees decide to make any changes to your benefits, the Plan will notify you by mailing a notice to your home address. If you prefer to receive notices from the Plan by e-mail, you must give the Plan permission to communicate with you by e-mail by completing an Electronic Consent for Delivery of Plan Documents Form. The form is available at www.seafarers.org (About / Benefit Plans / Applications) which you can fill out and return to the Plan. You may also contact the Plan at 301-899-0675 to request the form. Participant notices are also online at: www.seafarers.org in the Vacation Plan section. Please note that the most updated version of this Summary Plan Description booklet is always on the Seafarers website.

WHAT LEGAL RIGHTS DO I HAVE?

As a participant in the Plan, you have certain rights under the Employee Retirement Income Security Act of 1974. These rights include:

You have the right to:

- receive information about the Plan;
- inspect Plan documents at the Plan's office;
- receive copies of Plan documents for a small copying fee;
- receive a listing of signatory employers, as well as the collective bargaining agreements with employers for whom you have worked, when requested in writing;
- receive a summary of the Plan's financial report;
- not to be penalized or discriminated against by the Trustees of the Plan when you are applying for benefits;
- hire a lawyer if you believe that your application for benefits was incorrectly denied, or that a Trustee of the Plan has not done his/her job;
- have your questions answered by the Plan, and if you are not satisfied, to ask the U.S. Department of Labor at 1-866-444-3272 (toll free); or <http://www.dol.gov/ebsa/contactEBSA/consumerassistance.html> or via mail:

U.S. Department of Labor
Employee Benefits Security Administration
Room N5619
200 Constitution Avenue, N.W.
Washington, D.C. 20210

APPENDIX

- **Language Translation Services**

Language Translation Services

Spanish: ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 301-899-0675

Arabic:

ملحوظة: إذا كنت تتحدث العربية، فإن خدمات المساعدة اللغوية تتوافر لك بالمجان. اتصل برقم 301-899-0675

Tagalog: PAUNAWA: Kung nagsasalita ka ng Tagalog, maaari kang gumamit ng mga serbisyo ng tulong sa wika nang walang bayad. Tumawag sa 301-899-0675

Polish: UWAGA: Jeżeli mówisz po polsku, możesz skorzystać z bezpłatnej pomocy językowej. Zadzwoń pod numer 301-899-0675

Russian: ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода. Звоните 301-899-0675

Haitian Creole: ATANSYON: Si w pale Kreyòl Ayisyen, gen sèvis èd pou lang ki disponib gratis pou ou. Rele 301-899-0675

Portuguese: ATENÇÃO: Se fala português, encontram-se disponíveis serviços linguísticos, grátis. Ligue para 301-899-0675

Indonesian: PERHATIAN: Jika Anda berbicara dalam Bahasa Indonesia, layanan bantuan bahasa akan tersedia secara gratis. Hubungi 301-899-0675

Romanian: ATENȚIE: Dacă vorbiți limba română, vă stau la dispoziție servicii de asistență lingvistică, gratuit. Sunați la 301-899-0675

Croatian: УВАГА! Якщо ви розмовляєте українською мовою, ви можете звернутися до безкоштовної служби мовної підтримки. Телефонуйте за номером 301-899-0675

French: ATTENTION : Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement. Appelez le 301-899-0675

Chinese: 注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 301-899-0675。

Korean: 주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다. 301-899-0675 번으로 전화해 주십시오.

Ukrainian: УВАГА! Якщо ви розмовляєте українською мовою, ви можете звернутися до безкоштовної служби мовної підтримки. Телефонуйте за номером 301-899-0675

Vietnamese: CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn. Gọi số 301-899-0675