

**ALASKA TEAMSTER-EMPLOYER PENSION PLAN
PROCEDURES FOR DETERMINING AND IMPLEMENTING
QUALIFIED DOMESTIC RELATIONS ORDERS**

These Procedures for Determining and Implementing Qualified Domestic Relations Orders set forth the process by which the Administrative Office determines whether an Order directing benefit payments to a spouse, former spouse, child, or other dependent of a participant is a Qualified Domestic Relations Order within the meaning of the Employee Retirement Income Security Act of 1974, as amended (ERISA), and the Internal Revenue Code of 1984 (Code), as amended.

1) Definitions

“Administrative Office” means Alaska Teamsters Trust Customer Service Office.

“Alternate Payee” means a person who is recognized by an Order as having a right to receive all, or a portion of, the benefits payable under the Plan with respect to the Participant.

“Annuity Starting Date” means the first day of the first period for which an amount is paid as an annuity or any other form.

“Benefit Improvements” means retroactive increases in the benefits payable to a Participant after the Alternate Payee’s Annuity Starting Date, including but not limited to increases in benefit accrual rates, thirteenth checks or bonus checks, and enhanced early retirement subsidies.

“Contingent Alternate Payee” means an individual designated by the Alternate Payee in a QDRO to receive the Alternate Payee’s interest under the QDRO if the Alternate Payee dies prior to payment of his or her benefits. The Contingent Alternate Payee must be a child or other dependent of the Participant.

“Order” means a judgment, decree or order filed of record and signed by a court or other State agency having jurisdiction that by its terms creates or recognizes an Alternate Payee’s right, or assigns to an Alternate Payee the right, to receive an amount or percentage of the benefits payable with respect to the Participant under the Plan. It does not include an order joining the Plan in a state court proceeding.

“Participant” means the Plan participant named in the Order.

“Plan” means the Alaska Teamster-Employer Pension Plan, as amended.

“QDRO” means an Order that qualifies as a qualified domestic relations order within the meaning of ERISA and the Code that has been approved by the Administrative Office in accordance with these Procedures.

2) Notice to Participant and Alternate Payee(s)

Upon receipt of an Order, the Administrative Office shall promptly send to the Participant and to the Alternate Payee(s):

2.1 Notice that:

- (a) The Administrative Office has received the Order and will determine whether it qualifies as a QDRO;
- (b) The Participant and any Alternate Payee may designate by notice to the Administrative Office a representative for receipt of copies of notices sent to the Participant and Alternate Payee with respect to the Order; and

2.2 A copy of these Procedures and a Model QDRO, if not already provided to the Participant and Alternate Payee.

3) Separate Accounting

If benefits are or become payable to the Alternate Payee(s) by the terms of the Order while the Administrative Office is determining whether it is a QDRO, the Administrative Office shall defer payment of, and shall separately account for, the amounts that are payable to the Alternate Payee(s) (the “Segregated Amounts”). Also, the Administrative Office shall defer or suspend payment to the Participant of any amounts that may be payable to the Alternate Payee under the Order if the Order were determined to be a QDRO.

4) Determination Procedure

4.1 Time

The Administrative Office will determine whether the Order is a QDRO within a reasonable time.

4.2 Determination Within 18-Month Period

If, within the 18-month period, beginning on the first date (after the Administrative Office receives the Order) that the Order would require payment to the Alternate Payee (the “18-month period”), it is determined that the Order is a QDRO, the Administrative Office shall so notify the Participant and Alternate Payee(s) and shall (subject to the 30-day review period described below) pay the Segregated Amounts to the person or persons entitled thereto if all Plan provisions and conditions of the Order are otherwise met. If appropriate, the notice may include the information described in Section 5.

If, within the 18-month period, it is determined that the Order is not a QDRO, the Administrative Office shall notify the Participant and Alternate Payee(s) in writing of the determination and the reasons for the determination. The notification shall include a description of additional information or modifications

necessary for the Order to be a QDRO and any time limits that apply. If the Administrative Office does not receive a corrected Order and any necessary additional information within a reasonable period, or if the Administrative Office receives such corrected Order or information, but the 18-month period expires before the Administrative Office determines a subsequently submitted corrected Order to be a QDRO, the Administrative Office shall so notify the Participant and the Alternate Payee(s), and (subject to the 30-day review period described below) allocate the Segregated Amounts as if there had been no Order (or corrected Order).

4.3 Review of Determinations:

Either party to the Order may obtain a review of the determination of the Administrative Office as to whether an Order is a QDRO by requesting such review in writing, or giving written notice of objection, within 30 days after the Administrative Office's determination. If the Administrative Office timely receives such request or notice, it will review its determination and make a final determination as soon as reasonable and practicable. If neither party requests such review in writing within 30 days, absent legal process that dictates otherwise, the decision of the Administrative Office shall be considered final, and the Administrative Office may cause benefits to be paid and/or remove any suspension of payment of benefits, as consistent with its final determination.

4.4 No Determination Within 18-Month Period

If no determination with respect to the Order has been made within the 18-month period, the Administrative Office shall so notify the Participant and Alternate Payee(s) and allocate the Segregated Amounts as if there had been no Order.

4.5 Determination After 18-Month Period

If the Order is determined to be a QDRO after the end of the 18-month period, compliance with the Order shall be prospective only.

4.6 Additional Information

The Administrative Office may require the Participant or any Alternate Payee to submit additional information or documents the Administrative Office deems necessary or appropriate in making its determination.

5) **Payment Procedure**

If the Administrative Office determines the Order is a QDRO, it may require the Alternate Payee(s) to provide any information that is reasonably necessary to determine the amount(s) payable to the Alternate Payee(s). After the Administrative Office determines the amount(s) payable to the Alternate Payee(s), it shall notify the Participant and Alternate Payee(s) of the amount(s) of benefits payable to the Participant and to the Alternate Payee(s) in accordance with the QDRO and the Plan.

6) Additional Procedures and Requirements

6.1 An Alternate Payee may request benefits in one of the optional forms available under the Plan, provided the Alternate Payee shall not be entitled to a joint and survivor annuity with a subsequent spouse. A QDRO may not require the Plan to provide a type or form of benefit not otherwise available under the Plan or require the Plan to provide increased benefits (as determined on an actuarial basis). A QDRO also cannot require the payment of benefits to an Alternate Payee that are required to be paid to another Alternate Payee under another QDRO already recognized by the Plan. Payment of the Alternate Payee's benefits must satisfy the requirements of Code section 401(a)(9) with respect to timing and duration of payment.

6.2. With respect to early retirement subsidies:

- a. Before the Participant's Annuity Starting Date, the Alternate Payee is not entitled to share in early retirement subsidies.
- b. After the Participant's Annuity Starting Date, the Alternate Payee is entitled to share in early retirement subsidies, unless the QDRO provides otherwise.

With respect to Benefit Improvements:

- a. Before the Participant's Annuity Starting Date, the Alternate Payee is not entitled to share in Benefit Improvements.
- b. After the Participant's Annuity Starting Date, the Alternate Payee is not entitled to share in Benefit Improvements, unless the QDRO so provides.

6.3. Written communications to the Administrative Office must be received prior to the expiration of any time period herein or in the Plan. The records of the Administrative Office will be deemed conclusive as to whether a communication has been received and the date of receipt, unless the sender provides a completed United States Postal Service return receipt that shows otherwise. The common law "mailbox rule" shall not apply to determine the date of receipt by the Administrative Office of communications received under these Procedures.

6.4. A QDRO may designate a Contingent Alternate Payee to receive the Alternate Payee's benefits if the Alternate Payee dies before the Alternate Payee's Annuity Starting Date. A Contingent Alternate Payee is entitled to a benefit from the Plan with respect to a retired Participant only if such entitlement requires no adjustment or change in the retiree's form or amount of benefits.

6.5 The Administrative Office shall furnish to a prospective Alternate Payee Plan documents, the Summary Plan Description, benefit statements, and other information reasonably requested to assist the Alternate Payee in preparing a QDRO.

6.6. Delivery of Notice

Any notice, submittal or other communication required or permitted by these Procedures shall be in writing and personally delivered, or sent by first-class mail, postage prepaid, as follows:

If to the Administrative Office:

By Mail or Personal Delivery:

Alaska Teamsters Employer Service Corporation
520 E 34th Avenue, Suite 107
Anchorage, AK 99503-4116

If to the Participant:

The Participant's address in the Order, or, if the Order fails to specify an address, the last address known to the Administrative Office.

If to an Alternate Payee Named
in the Order:

To the Alternate Payee's address in the Order or, if the Order fails to specify an address, the last address known to the Administrative Office.

A Participant or Alternate Payee may change his or her address by written notice to the Administrative Office.

6.7. In the event of any conflict between the terms of a QDRO and the terms of the Plan, the terms of the Plan will control.

7) **Amendment; Effective Date**

These Procedures may be amended from time to time, as determined by the Plan Administrator (as such term is defined in the Plan). These amended Procedures are effective on September 1, 2007.