The purpose of this document is to generally outline the rules for participation in and contributions to the Cascade Pension Trust for employees working for contributing employers within the jurisdictions of IBEW Locals 280, 659 and 932. It is necessarily general. The exact rules are set out in the agreements establishing the Trust and in each collective bargaining agreement. If there is any conflict between this outline and those agreements, the agreements control.

Each signatory employer is obligated to contribute to the Trust for all hours worked in any of the three Locals by bargaining unit employees. However, the contribution rate may vary by job category and in case of some categories, such as first year apprentices, may be zero. In addition, there are special rules permitting contributions for nonbargaining unit employees.

Contribution rates for bargaining unit employees are specified in the applicable collective bargaining agreement and vary by Local. Therefore, a report must be filed each month for each Local in which a contributing employer works. For example, if a contributing employer performs covered work in Local 280 and Local 659 in the same month, two reports must be filed: one for the work done in Local 280 and one for the work done in Local 659. In addition, one employer may have more than one bargaining agreement with a given Local. In that case, the employer must file a monthly report under each bargaining agreement.

The contribution and participation rules are summarized below. In addition, the matrix attached as Exhibit 1 displays the rules in graphic form. Any remaining questions about participation or contributions should be presented to the administrator for the Trust.

1. **Bargaining Unit Employees.** The employer must contribute on all bargaining unit employees at the hourly rate specified in the applicable labor contract.

2. **Partners and Proprietors.** Sole proprietors or partners of contributing employers are not permitted to participate in the Cascade Pension Trust under any circumstances even if they work with the tools doing work covered by the bargaining agreement.

3. **Corporate Officers, Directors and Shareholders.** Officers, directors and shareholders of corporate employers, and members and managers of limited liability companies who are employers, may participate in the regular Cascade Pension Trust. If they work with the tools doing covered work, they may contribute at the bargaining agreement hourly rate for the covered work or as Category 2 employees under section 4 below. If they do not work with the tools, they are considered Category 2 employees and must satisfy the Category 2 participation requirements set forth in paragraph 4 below.
4. **Category 2 Employees.** Category 2 employees (i.e. employees not covered by the bargaining agreement) are divided into two groups: (a) alumni and (b) other Category 2 employees. An employer may elect to contribute either on alumni only or on all Category 2 employees including alumni. The election is made by the employer by entering into a written participation agreement with Cascade and returning it to the trust administrator. See Exhibit 2. Contributions are not allowed in either case for sole proprietors or partners.

a. **Alumni.** Alumni are non-bargaining unit employees who were formerly bargaining unit employees represented by Local 280, 659 or 932 who worked at least one-half of their hours during the current or a prior year under a bargaining agreement with one of such locals. If the employer elects to contribute on alumni only, the employer must contribute at the bargaining agreement journeyman hourly rate. Contributions may not be made to the 401(k) Plan by alumni if the employer elects to contribute for only alumni.

b. **All Category 2.**

(1) **Regular Plan.** An employer may elect to contribute to the regular plan on all Category 2 employees (including alumni and corporate officers, etc. described in Section 3 above, who work with the tools but elect to contribute as category 2 employees) instead of alumni only. If the employer selects this option, it must contribute on the Category 2 employees at a fixed percentage of compensation or a fixed rate per hour or month. The method selected by the employer must be approved by the trustees. Contributions may not exceed one hundred percent of category 2 employee’s compensation.

(2) **401(k) Plan.** In addition, if an employer contributes at least three percent of each category 2 employee’s compensation to the regular plan on behalf of all category two employees (including alumni) each category 2 employee may contribute up to one hundred percent of salary or the maximum dollar limit for the year, whichever is less, to the 401(k) Plan.

5. **Local Unions, etc.** Local Unions 280, 659 and 932, the Oregon Pacific Cascade Chapter of the National Electrical Contractors Association, any credit union sponsored by a Local Union for the benefit of its members, and any trust established under ERISA by an agreement between NECA and a Local Union may also sign a participation agreement under which its non-bargaining unit employees can participate. The contribution rate need not be uniform and employees can participate in the 401(k) Plan regardless of the amount of the employer contribution to the regular plan. But, the contribution rate and employee coverage must be approved by the trustees and must satisfy the nondiscrimination requirements of the Internal Revenue Code.

6. **Category 2 Certification.** At the end of each calendar year each employer contributing to the trust under section 4 or 5 above shall file a certificate in the form of Exhibit 3 attached hereto confirming that the contributions comply with all trust requirements. Any employer who fails to provide such certification shall not be eligible to contribute on any Category 2 employees.
<table>
<thead>
<tr>
<th>TYPE OF BUSINESS</th>
<th>TYPE OF EMPLOYEE</th>
<th>CASCADE REGULAR PLAN</th>
<th>CASCADE 401(k) PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEES OF ANY TYPE OF BUSINESS (except Officers, Directors, Shareholders, Members, Managers, Sole Proprietors or Partners)</td>
<td>Category 1</td>
<td>YES - CBA Contribution Rate (1)</td>
<td>YES - Employee Selects Contribution Rate</td>
</tr>
<tr>
<td></td>
<td>Alumni</td>
<td>Optional (2)</td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>All Category 2 (including alumni) other than specified below</td>
<td>Optional (3)</td>
<td>Optional (4)</td>
</tr>
<tr>
<td>CORPORATION and LIMITED LIABILITY COMPANY</td>
<td>Officers, Directors and Shareholders and LLC members and managers who work with tools</td>
<td>Optional (5)</td>
<td>Optional (4)</td>
</tr>
<tr>
<td></td>
<td>Officers, Directors Shareholders and LLC Members and Managers who do not work with tools</td>
<td>Optional (6)</td>
<td>Optional (4)</td>
</tr>
<tr>
<td>SOLE PROPRIETORS</td>
<td>Owner Who Works with Tools</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>Owner Who Does Not Work with Tools</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>PARTNERSHIP</td>
<td>Partner Who Works with Tools</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>Partner Who Does Not Work with Tools</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>EMPLOYEES OF LOCAL UNIONS, NECA, CREDIT UNIONS OR ERISA TRUST FUNDS</td>
<td>Category 2</td>
<td>Optional (3)(b)</td>
<td>Optional (3)(b)</td>
</tr>
<tr>
<td></td>
<td>Alumni</td>
<td>Optional (2)</td>
<td>Optional (3)(b)</td>
</tr>
</tbody>
</table>

1. The contribution rate may vary for overtime work and for apprentices. Check the bargaining agreement.

2. If the employer elects to contribute on alumni, contributions are made at the contract journeyman rate.

3. Participation is allowed only if:
   (a) all Category 2 employees including alumni participate;
   (b) participation is approved by the Trustees; and
   (c) contributions are uniform for all Category 2 participants (e.g., fixed rate per hour or month, or percentage of salary)

4. Category 2 employees and officers, directors, shareholders and alumni may participate in the 401(k) plan only if the employer contributes three percent of each category 2 (including officers, directors, shareholders and alumni) employee’s salary to the 401(k) plan.

5. Corporate Officers, Directors and Shareholders and LLC members and managers who work with the tools may elect to be treated as Category 1 employees and contribute at the bargaining agreement rate for the covered work.

6. Corporate Officers, Directors and Shareholders and LLC members and managers who do not work with the tools may participate only if they participate as alumni or Category 2 as described in notes (2) (3) and (4) above.
1. **Agreement.** The Cascade Pension Trust allows contributing employers to also contribute for their non-bargaining unit employees if (a) the employer enters into a participation agreement with the Trust and (b) the employer contributes to the Trust for all of (i) its non-bargaining unit employees or (ii) its employees who are "alumni." Contributions are not permitted for partners if the employer is a partnership or the owner if the owner is a sole proprietor. Alumni are employees who have an account with Cascade and during the current or a prior calendar year worked at least one half of the employee's total hours of service for employers contributing to Cascade, as a member of an IBEW bargaining unit. The undersigned employer agrees to contribute to the Cascade Pension Trust for non-bargaining unit employees as provided herein and agrees to be bound by all of the terms of the Cascade Pension Agreement and Declaration of Trust and the Cascade Pension Plan as amended from time to time and the rules and policies adopted by the trustees. If either plan is determined to be “top-heavy” as defined by Section 416 of the Internal Revenue Code for any year, the undersigned employer shall make the minimum contribution required by Section 416 to satisfy its requirements. This agreement is not valid until accepted by the Trust Administrator.

2. **Election.** The employer agrees to make contributions starting on _______________, 20__, on behalf of all (check one): (   ) Alumni  (   ) All Non-bargaining employees.

3. **Contribution Rate.**
   a. **Alumni.** If the employer elects to contribute on alumni only, then the employer shall contribute to the Trust at the hourly contribution rate for journeyman electricians required by the IBEW collective bargaining agreement applicable to the employer’s covered employees working in the same jurisdiction.
   b. **All Non-bargaining employees.** If the employer elects to contribute on all of its non-bargaining unit employees, then the employer shall contribute a fixed percentage of compensation, a fixed rate per hour or a fixed amount per person per month. The amount contributed must be uniform for all non-bargaining unit employees including alumni and may not exceed one hundred percent of any employee's compensation (up to the maximum permissible dollar limit for the year) (complete one): _____% of compensation $________ per hour $_________ per person per month.

4. **401(k) Plan.** The Cascade Pension Trust has an employee funded 401(k) plan in addition to the regular plan funded by employer contributions. Non-bargaining unit employees may contribute to the 401(k) plan, but only if their employer makes contributions to the regular plan for all non-bargaining unit employees equal to at least three percent of their salary. If the employer elects to do so, then Category 2 employees may contribute up to one hundred percent of salary to the 401(k) plan (up to the maximum annual dollar limit).

5. **Termination and Amendment.** The employer or the trust may terminate this agreement at the end of any calendar month upon prior notice to the other party. However, if the employer terminates this agreement, then the employer may not enter into a new participation agreement for one year following termination. This agreement shall automatically terminate any time the employer ceases to be a party to a collective bargaining agreement with an IBEW Local which requires the employer to make contributions to the Cascade Pension Trust. This agreement may be amended by the employer and Trust entering into a new participation agreement. The employer may enter into a new participation agreement no more than one time per year without the trustee's prior approval.

6. **Reports.** Employer agrees to provide all reports, records, certifications and information which the trust may reasonably request.

**EMPLOYER**

Name________________________________________
By:________________________________________
Its:________________________________________
Date:_______________________________________

**CASCADE PENSION TRUST**

By:________________________________________
Plan Administrator

Date:_______________________________________

PARTICIPATION AGREEMENT - PAGE 4
REVISED 01/01/06
EXHIBIT 2-B
PARTICIPATION AGREEMENT
(For Local Union, NECA, Credit Union and Trust Fund Employers)

1. Agreement. The Cascade Pension Trust allows Local Unions 280, 659 and 932, the Oregon Pacific Cascade Chapter of NECA, credit unions sponsored by the Unions and ERISA trust funds set up by NECA and the Unions to contribute for their non-bargaining unit employees if (a) the employer enters into a participation agreement with the Trust and (b) the employer contributes to the Trust for either (i) its non-bargaining unit employees or (ii) its employees who are "alumni." Alumni are employees who have an account with Cascade and during the current or a prior calendar year worked at least one half of the employee's total hours of service for employers contributing to Cascade, as a member of an IBEW bargaining unit. The undersigned employer agrees to contribute to the Cascade Pension Trust for its employees as provided herein and agrees to be bound by all of the terms of the Cascade Pension Agreement and Declaration of Trust and the Cascade Pension Plan as amended from time to time and the rules and policies adopted by the trustees. If either plan is determined to be "top-heavy" as defined by Section 416 of the Internal Revenue Code for any year, the undersigned employer shall make the minimum contribution required by Section 416 to satisfy its requirements. This agreement is not valid until accepted by the Trust Administrator.

2. Election. The employer agrees to make contributions starting on ______________, 20___, on behalf of all (check one): (   ) Alumni (   ) Non-bargaining employees.

3. Contribution Rate.
   a. Alumni. If the employer elects to contribute on alumni only, then the employer shall contribute to the Trust at the hourly contribution rate for journeyman electricians required by the IBEW collective bargaining agreement applicable to covered employees working in the same jurisdiction.
   b. Non-bargaining employees. If the employer elects to contribute for employees, in addition to alumni, then the covered employees and the contributions for each employee must satisfy the non-discrimination requirements of the Internal Revenue Code and be approved by the trustees. The employer elects to cover employees and make contributions as follows:________________________________________________________________________________________
______________________________________________________________________________________________
______________________________________________________________________________________________.

4. 401(k) Plan. The Cascade Pension Trust has an employee funded 401(k) plan in addition to the regular plan funded by employer contributions. If the employer elects to contribute to the regular plan, then participating employees may contribute up to one hundred percent of salary to the 401(k) plan (up to the maximum annual dollar limit).

5. Termination and Amendment. The employer or the trust may terminate this agreement at the end of any calendar month upon prior notice to the other party. However, if the employer terminates this agreement, then the employer may not enter into a new participation agreement for one year following termination. This agreement shall automatically terminate any time the employer ceases to be a party to a collective bargaining agreement with an IBEW Local which requires the employer to make contributions to the Cascade Pension Trust. This agreement may be amended by the employer and Trust entering into a new participation agreement. The employer may enter into a new participation agreement no more than one time per year without the trustee's prior approval.

6. Reports. Employer agrees to provide all reports, records, certifications and information which the trust may reasonably request.

EMPLOYER
Name______________________________________
By:________________________________________
Its:________________________________________
Date:_______________________________________

CASCADE PENSION TRUST
By:________________________________________
Plan Administrator
Date:_______________________________________
EXHIBIT 3-A
CERTIFICATION OF COMPLIANCE
(For Employers Other Than Local Union, NECA, Credit Union or Trust Funds)

The undersigned employer has Category 2 (nonbargaining unit) employees for whom contributions were made to the Cascade Pension Trust during the last calendar year. The undersigned employer represents, certifies and warrants:

1. All of the employer's (check one) ( ) Category 2 employees ( ) alumni participated in the Cascade Pension Trust during such year;

2. The formula by which contributions were calculated and made to the Cascade Pension Trust for Category 2 employees was ____________________________________________________________________________________________ ____________________________________________________________________________________________

3. Following is a list of individuals who owned an interest in the employer at any time during the current or last two calendar years and their ownership percentage. If they are related\(^1\) to any other owner, include on the list the related owner and the related party’s ownership percentage.

<table>
<thead>
<tr>
<th>Owner</th>
<th>Ownership Percentage</th>
<th>Related Owner</th>
<th>Related Party’s Ownership Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. If the employer’s Category 2 employees contributed to the Cascade Pension Trust 401(k) Plan, the employer contributed to the regular Cascade Pension Plan for each Category 2 employee three percent (3%) or more of the employee’s salary.

5. Did the employer pay any Category 2 employee more than $95,000 in 2005? Yes____ No____. If yes, list the employee’s name, social security number and compensation below.

<table>
<thead>
<tr>
<th>Name</th>
<th>Social Security Number</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

List any other tax exempt retirement plans to which the employer makes contributions for 2005 on behalf of any category 2 employees: ____________________________________________________________________________________________

I certify that the foregoing is true and correct. I understand that if such information is not correct, that the undersigned employer’s Category 2 employees may not participate in the Cascade Pension Trust.

Dated this _____ day of ______________, 20___

_________________________________________ Employer

By:_____________________________________

\(^1\) List only spouse, parents, children and grandchildren

Revised 1/1/06
EXHIBIT 3-B

CERTIFICATION OF COMPLIANCE
(For Local Unions, NECA, Credit Union and Trust Funds)

The undersigned employer has Category 2 (nonbargaining unit) employees for whom contributions were made to the Cascade Pension Trust during the last calendar year. The undersigned employer represents, certifies and warrants:

1. The employer's (check one) Category 2 employees [ ] alumni [ ] participated in the Cascade Pension Trust during such year;

2. The standard for employee participation and the formula by which contributions were calculated and made to the Cascade Pension Trust was ____________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

3. Did the employer pay any employee over $95,000 in 2005? Yes_______No_______. 
If yes, list their name, social security number and compensation.

<table>
<thead>
<tr>
<th>Name</th>
<th>Social Security Number</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. List any other tax exempt retirement plans to which the employer made contributions for 2005 on behalf of any of its employees: ____________________________________________
________________________________________________________________________________
________________________________________________________________________________

I certify that the foregoing is true and correct. I understand that if such information is not correct, that the undersigned employer’s employees may not participate in the Cascade Pension Trust.

Dated this _____ day of _____________, 20___

________________________________________ Employer

By: ________________________________