

Contact Information

You can contact AFTRA H&R using any of the following methods:

AFTRA HEALTH & RETIREMENT FUNDS
ATTN: CONTRIBUTION SERVICES
261 MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10016

Fax: (212) 499-4973

E-mail: earnings@aftrahr.com

AFTRA H&R Participant Services
at (800) 562-4690

aftra H&R
AFTRA Health & Retirement Funds

POLICIES FOR COVERED EARNINGS INQUIRIES

- *Required Documentation*
- *5-Year Limit for Inquiries*

AFTRA HEALTH & RETIREMENT FUNDS
261 MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10016

Policy for Required Documentation

This policy outlines the documentation performers are required to supply to the AFTRA Health & Retirement Funds (AFTRA H&R) in order for AFTRA H&R to investigate and resolve potential earnings discrepancies. Performers should report potential earnings discrepancies if they believe that an employer may have failed to report or may have under-reported AFTRA-covered earnings to AFTRA H&R.

Earnings Statements

Each year you receive an Earnings Statement from AFTRA H&R if you performed AFTRA-covered work in the prior calendar year, and therefore have covered earnings in that year which were reported to AFTRA H&R on your behalf.

Covered earnings are earnings paid to you by a contributing employer for work covered under a collective bargaining agreement — work which also requires the employer to make contributions to AFTRA H&R (or to either Fund) on your behalf.

IMPORTANT NOTE: To maximize your benefits, you should always confirm that an employer is signed to an AFTRA collective bargaining agreement BEFORE you accept a job. Only AFTRA signatory employers can make contributions to AFTRA H&R on your behalf.

Reporting Discrepancies

Review your Earnings Statement carefully as soon as you receive it to confirm that it reflects all of the AFTRA-covered work you performed in the prior year and the earnings you received for that work. If you believe that any information is inaccurate such that all of your AFTRA-covered employment was not properly credited to AFTRA H&R, or if you do not receive an Earnings Statement but you think you had covered employment within the corresponding calendar year, please complete an Earnings

Discrepancy Form, which can be downloaded at www.aftrahr.com (“Participant Toolkit” | “Annual Earnings Statements”). Return the completed form and required documentation to the address below:

AFTRA HEALTH & RETIREMENT FUNDS
ATTN: CONTRIBUTION SERVICES
261 MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10016

Fax: (212) 499-4973
E-mail: earnings@aftrahr.com

You can also receive a copy of this form free of charge by calling AFTRA H&R Contribution Services at (800) 562-4690 or by sending a request to the fax number or e-mail address mentioned above.

Along with the Earnings Discrepancy Form, for each discrepancy you must submit at least one Record of Payment item from the list below. Pay stubs or royalty statements are the preferred documentation of your Record of Payment. If your Record of Payment items do not set forth work date(s), work type, advertising/production company name, and if applicable, name of commercial, program, or other project, you must provide this information or submit one or more Record of Work items that reflect it. Acceptable Record of Payment and Record of Work item types are listed below.

Record of Payment:	Record of Work:
● Pay stubs	● Session or work report
● Royalty statements (if you are a royalty artist under the Sound Recording Code)	● Proof of participation in AFTRA-covered work
● W-2 Form/1099 Form	● Evidence documenting the type of work performed (e.g. personal services contract or agreement)
● Detailed earnings statement from the Social Security Administration	○ It is recommended that you include a copy of your personal services contract even if other records submitted with your inquiry satisfy AFTRA H&R's documentation and information requirements

To Facilitate the Process

To the extent that you are able, it will be beneficial if you provide AFTRA H&R with specific details of the dollar amounts of the earnings that you believe have been reported inaccurately or are missing.

If you have a personal services corporation, a company known as a "Loan Out Company" or a "For Services Of" (FSO), provide the name and tax identification number for your corporation or company.

The more records and information you provide, the better AFTRA H&R will be able to validate your earnings and expedite a response to your claim.

Other Considerations

If you are or were a station staff employee or a network newscaster and your AFTRA collective bargaining agreement provided that you were covered under your employer's health and/or pension plan(s) (and your employer was not required to make contributions to AFTRA H&R on your behalf), your earnings will not be considered "covered earnings" and, therefore, will not apply to any benefit accruals. Similarly, if the collective bargaining agreement under which you work or worked caps or limits the amount of AFTRA-covered earnings for which your employer is or was required to make contributions to AFTRA H&R, your earnings above that cap or limit will not be considered covered earnings and will not apply to any benefit accruals. If you have questions about your AFTRA collective bargaining agreement, please contact your local AFTRA union office or the union's National News Department at (800) 638-6796.

Documentation Must Come From Employer

AFTRA H&R cannot conduct a review based on records or documents created by you, your tax preparer, your business manager or your agent. Only documentation generated by a payroll service or your employer (or by the Social Security Administration) can be accepted as proof of earnings.

Documentation Must Show Actual Earnings

If your documentation clearly shows that you worked in covered employment but does not clearly show the amount of wages paid, AFTRA H&R can only credit the minimum scale wages specified in the collective bargaining agreement or participation agreement.

Possible Help From Local AFTRA Office

Your local AFTRA union office may be able to help you obtain some documents you do not have, but it is your responsibility to contact that local office to make such a request. Your local AFTRA union office is not able to acquire W-2s on your behalf.

Please make sure that any updates to your contact information are made by completing and submitting the Performer Address Change form to AFTRA H&R. Forms can be obtained from your local union office or by visiting www.aftrahr.com ("Forms" | "General forms").

Insufficient Information

Please remember that you know more about your earnings than anyone else, and so your documentation must demonstrate each of the following:

- that the work in question was performed by you for a contributing employer;
- that the work in question was covered work for which the employer was required to make contributions; and
- the amount of the covered earnings.

If the documentation you submit is sufficient for AFTRA H&R to proceed with the review of your request, we will send you an acknowledgement letter confirming that our review is underway. If the documentation submitted is incomplete, you will be sent a letter stating that your inquiry cannot be processed because necessary information is missing and noting the specific information you need to supply. You are required to submit this information within 30 days from the date you receive the letter. However, if you need to request additional time to respond, please call AFTRA H&R Contribution Services at (800) 562-4690 or use one of the alternate contact methods previously mentioned in this policy to request more time. If we do not receive the missing documentation or you have not requested more time within the 30-day period, AFTRA H&R will send you a letter stating that we cannot review your request at this time. However, you may re-initiate the review of your initial inquiry by submitting the appropriate documentation at a later date.

5-Year Limit for Inquiries

Effective January 1, 2014, AFTRA H&R will limit the time period during which a performer can request a Covered Earnings Inquiry. Performers will have a maximum period of five years from the end of the calendar year in which earnings were, or should have been, credited to request a covered earnings inquiry and submit documentation to AFTRA H&R for consideration. Thus, any Covered Earnings Inquiry requesting a correction of covered earnings for calendar year 2008 or any prior years must be received by

December 31, 2013. As of January 1, 2014, earnings for work credited to performance dates prior to 2009 will no longer be considered for review in an earnings inquiry.¹

As another example, calendar year 2013 Earnings Statements will be issued during 2014. Participants will have until December 31, 2018 to request a Covered Earnings Inquiry for work performed during 2013.

Effect of Policy

Note that once the new five-year rule goes into effect, your failure to request a Covered Earnings Inquiry within the applicable five years will mean that AFTRA H&R will base its calculation of your pension benefits on the reported covered earnings and contributions in its records. This rule was adopted in large part because, as time passes, it becomes much more difficult to verify inaccuracies in covered earnings. The new rule will allow AFTRA H&R to address any mistakes or omissions in reported earnings soon after earnings are received, when supporting information and documentation is more readily available and there is the greatest likelihood that discrepancies can be verified and corrected.

5-Year Limit for Inquiries Rule Effective 2014

This rule is not effective until 2014 to give you enough time to review your records and report any incorrect information to AFTRA H&R. Please be sure to do so, as you are in the best position to know what work you did and what should have been reported. Since this rule applies to all of your covered earnings (even covered earnings from past years), you should contact AFTRA H&R to obtain information about your covered earnings history.

¹ If you were a Class Member in the *Moore v. American Federation of Television and Radio Artists et al.* lawsuit, your claim for earnings credit under the procedures of the stipulation of settlement in that case is not affected by this change. If you have questions about the settlement of this lawsuit, please call AFTRA H&R at (800) 562-4690.