

**SUMMARY OF MATERIAL MODIFICATIONS  
to the  
SUMMARY PLAN DESCRIPTION  
for the  
FLEXIBLE BENEFIT PLAN**

January 2021

(the "Employer") is making a change to its Flexible Benefit

Plan (the "Plan").

The benefits provided under the Plan are described in the summary plan description (SPD) for the Plan. This Summary of Material Modifications (SMM) amends and updates the SPD. The changes described in this SMM apply to the extent that your Employer has adopted the Benefit Plan Option and provisions described in this SMM as part of the Plan.

You should keep this SMM together with your SPD and other documents related to the Plan. If you need an additional copy of the SPD, you should contact your human resources department. This SMM must be read together with the SPD. It replaces and adds certain language to the SPD. Terms and phrases not defined in this SMM have the meanings given to them in the SPD.

#### **Midyear Election Changes**

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The Consolidated Appropriations Act, 2021 ("CAA") allows, but does not require, health, limited purpose and dependent care flexible spending account plans to allow participants to revoke an election, make a new election, or decrease or increase an existing election for a health, limited purpose, or dependent care flexible spending account plan on a prospective basis without regard to Change in Status Event or Cost or Coverage Change during the plan year ending in 2021, as described in the SPD.

The Employer has adopted a temporary change to the Plan allowing for prospective midyear election changes for a

- The new mid-year election changes will take effect prospectively and only after they have been processed and approved.
- Each mid-year election change may only be used once. To make an additional mid-year election change during 2021, you must have another event which allows a mid-year election change, such as a Change in Status Event or Cost or Coverage Change, as described in SPD.
- For changes to your Health FSA and/or Dependent Care FSA elections, changes may not be made to reduce your annual contribution amount below the amount that has already been reimbursed. For example, if you have already been reimbursed \$800 from your 2020 calendar year health FSA, you may not reduce your 2020 health FSA annual contribution below \$800.

*While the Employer currently intends to continue the Plan, it reserves the right to amend, modify or terminate the Plan at any time. Nothing in this SMM should be construed as a promise or guaranty of future benefits or of any level or amount of benefits, or as a promise or guaranty of employment or future employment for any duration.*