

# Long-Term Disability Plan

(Performance Pipe Hourly Employees)



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## Your Long-Term Disability Plan

The Long-Term Disability (LTD) plan, sponsored by Chevron Phillips Chemical Company LP (Chevron Phillips Chemical or the Company) and administered by Metropolitan Life Insurance Company (MetLife), is designed to provide eligible employees with financial assistance when an injury or illness lasts longer than six months (the first six months is called the “elimination period”).

Participation in the plan is entirely voluntary. If you elect this benefit, you pay the premiums through after-tax payroll deductions. Therefore, any benefits you receive are tax-free.

To be covered, you must enroll in one of the LTD plans. For information on eligibility and enrollment, see the **How to Participate** section on pages 6 – 11. If you do not enroll in one of the LTD plans when you first become eligible, Evidence of Insurability (EOI) will be required and MetLife must approve your application before the coverage will begin.

If you enroll as a new hire, your coverage will begin the first day of the month following your date of hire (or on your date of hire if it is the first day of the month). If you enroll at any other time, coverage will become effective on a date determined by MetLife. You will receive notice of your coverage start date in writing from MetLife.

### IMPORTANT TERMS DEFINED

#### Disability

You are considered disabled if, due to sickness or as a direct result of accidental injury:

- You are receiving appropriate care and treatment and complying with the requirements of such treatment, and
- You are unable to earn an income during your elimination period and, during the next 24 months, you are unable to earn more than 80% of your pre-disability earnings at your own occupation from any employer in your local economy,



- After such period, you are unable to earn more than 80% of your pre-disability earnings from any employer in your local economy at any gainful occupation for which you are reasonably qualified taking into account your training, education and experience.

If your occupation requires a license, the fact that you lose your license, for any reason, does not in itself constitute disability.

### Pre-Disability Earnings

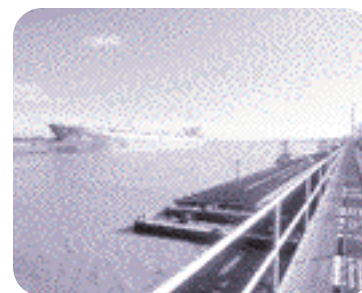
Pre-disability earnings for purposes of the Chevron Phillips Chemical Health and Welfare plans is defined as gross salary or wages you were earning as of your last day of active work before your disability began. Pre-disability earnings include commissions you earned averaged over the 12-month period before your disability began. If you had not worked for at least 12 months, commissions are averaged over the period of your employment. Also included are any contributions you were making through a salary reduction agreement with Chevron Phillips Chemical to any of the following:

- An Internal Revenue Code (IRC) Section 401(K), 403(B) or 457 deferred compensation arrangement,
- An executive non-qualified deferred compensation arrangement, and
- Your fringe benefits under an IRC Section 125 plan.

Pay that is not considered part of your pre-disability earnings includes:

- Awards and bonuses,
- Overtime pay,
- Company contributions to any deferred compensation arrangement or pension plan, or
- Any other compensation from Chevron Phillips Chemical.

If your pay increases during the calendar year, your LTD coverage and premium will increase accordingly.





### Frozen Age

LTD premiums are based on an employee's frozen age. The frozen age is the employee's age as of January 1st of the current calendar year (e.g., calendar year 2010 benefits are based on age as of January 1, 2010).

### Elimination Period

The elimination period is the period of your disability during which no benefits are paid. The elimination period begins on the day you become disabled and continues for six months or the length of time you elect to continue salary continuation, whichever is later.

If you return to active work before completing your elimination period for a period of 30 days or less, and then become disabled again due to the same or related sickness or accidental injury, you will not be required to complete a new elimination period. MetLife will count those days towards the completion of your elimination period.

If you return to active work for a period of more than 30 days, and then become disabled again, you will have to complete a new elimination period.

## Plan Benefits

### BENEFIT AMOUNT

When you enroll in LTD coverage, you can elect one of two options — either 50% or 60% of your annual earnings. Both options have a monthly maximum benefit of \$12,000. LTD benefits are coordinated with other disability income benefits you receive (such as Social Security payments); however, your LTD benefit never will be less than \$100 a month (subject to overpayments and any rehabilitation incentive benefit).

Other disability income benefits include, but are not limited to, benefits from family Social Security, Workers' Compensation, state disability programs and any other source of disability benefits paid for in whole or in part by Chevron Phillips Chemical. For more information, see the **Coordination With Other Sources of Income** section on page 192.





## MAXIMUM BENEFIT PERIOD

Your maximum benefit period is the later of:

- Your normal retirement age (as defined by the federal Social Security Administration on the date your disability starts), or
- The period shown on the table below.

Age When Disability Occurs	Benefit Period
Less than age 60	to age 65
60	60 months
61	48 months
62	42 months
63	36 months
64	30 months
65	24 months
66	21 months
67	18 months
68	15 months
69+	12 months



## CERTIFICATION

If your doctor believes you will not be able to return to work after six months, MetLife may request additional medical documentation from your doctor. On its receipt, MetLife will review the documentation and determine if you qualify for LTD benefits.

MetLife may require you to undergo a medical examination as often as reasonably needed to make sure your claim is valid.



## PERIOD OF DISABILITY

A period of disability starts on the first day you are disabled (as defined on page 186) and you are under appropriate care and treatment by a physician.

Appropriate care and treatment is defined as medical care and treatment that is:

- Given by a physician whose medical training and clinical specialty are appropriate for treating your disability,
- Consistent in type, frequency and duration of treatment with relevant guidance from national medical research, health care coverage organizations and governmental agencies,
- Consistent with a physician's diagnosis of your disability, and
- Intended to maximize your medical and functional improvement.



## DATE BENEFIT PAYMENTS END

Your period of disability ends on the date the earliest of the following occurs:

- The date you are no longer disabled,
- The date you start work at a reasonable occupation and earn more than 80% of your pre-disability earnings,
- The date you fail to give proof of continuing disability,
- The date you refuse to be examined as requested by MetLife,
- The date you cease to be under the care of a physician,
- The date you reach the expiration of the maximum benefit period shown in the **Maximum Benefit Period** section on page 189,
- The date you are not undergoing effective treatment for alcoholism or drug abuse, if your disability is caused to any extent by alcoholism or drug abuse,
- After 24 months of receiving benefits, the date you have income from any employer or from any occupation for compensation or profit equal to more than 80% of your adjusted pre-disability earnings,



- After 24 months of receiving benefits, the date you fail to give proof that you are unable to perform the duties of any occupation for compensation or profit equal to more than 80% of your adjusted pre-disability earnings,
- The date of your death, or
- The date you cease or refuse to participate in a rehabilitation program that MetLife requires.

The period of disability for certain conditions such as mental or nervous conditions and alcohol- and drug-related illnesses may be limited to a combined total of 24 months for all such conditions. If your disability is due to alcohol, drug or substance addiction, you are required to participate in an alcohol, drug or substance addiction recovery program recommended by a physician in order to receive benefits. This limitation does not apply to a disability resulting from schizophrenia, dementia or organic brain disease.

### **APPROVED REHABILITATION PROGRAM**

If you are disabled as defined on page 186, but are able to return to work on a modified basis with a goal of resuming employment for which you are reasonably qualified (by training, education, experience and past earnings), you may be eligible to participate in a rehabilitation program that has been approved by MetLife.

The approved rehabilitation program includes, but is not limited to, one or more of the following activities:

- On-site job analysis,
- Job modification/accommodation,
- Training to improve job-seeking skills,
- Vocational training, or
- Restorative therapies to improve functional capacity to return to work.

If approved by MetLife, the plan pays for all services and supplies needed in connection with participation in a rehabilitation program, except those for which you can otherwise receive reimbursement from any third party payer, including any governmental benefits to which you may be entitled.





## IF YOU BECOME DISABLED AFTER YOU RETURN TO WORK

If you receive LTD benefits, return to active work on a regular basis, and then become disabled again, one of the following applies:

- If your second disability is due to the same or related cause as the first and you returned to active work full-time for 180 days or less, you are immediately eligible for LTD benefits and do not have to satisfy another elimination period. This will be considered part of the original disability, and MetLife will use the same pre-disability earnings and apply the same terms, provisions and conditions that were used in the original disability.
- If the second disability is due to a different cause or if you've been back to active work on a regular work schedule for more than 180 days, this second disability is counted as a new disability. This means you will have to complete a new elimination period before receiving any LTD benefits.

## COORDINATION WITH OTHER SOURCES OF INCOME

In addition to this LTD plan, other plans and certain laws may provide you with a replacement for the income you lose if you become disabled. To prevent duplicate payments, your benefit under this plan is reduced by the amount of any other income-replacement benefits for which you are eligible. Sources of such benefits include:

- Any disability or retirement benefits which you, your spouse or children receive, or are eligible to receive, because of your disability or retirement under:
  - *the federal Social Security Act,*
  - *the Railroad Retirement Act,*
  - *any state or public employee retirement or disability plan, or*
  - *any pension or disability plan of any other nation or political subdivision,*
- Any income received for disability or retirement under the Chevron Phillips Chemical Retirement Plan, to the extent that it can be attributed to Chevron Phillips Chemical contributions,
- Any income received for disability under:
  - *a group insurance policy to which Chevron Phillips Chemical has made a contribution, such as:*
    - *benefits for lost time from work due to disability, or*
    - *installment payments for permanent total disability,*





- a no-fault auto law for loss of income, excluding supplemental disability benefits,
  - a government compulsory benefit plan or program which provides payment for loss of time from your job due to your disability, whether such payment is made directly by the plan or program or through a third party,
  - a self-funded plan, or other arrangement, if Chevron Phillips Chemical has contributed toward it or makes payroll deductions for it,
  - any sick pay, vacation pay or other salary continuation that Chevron Phillips Chemical pays you,
  - Workers' Compensation or a similar law which provides periodic benefits,
  - occupational disease laws,
  - laws providing for maritime maintenance and cure, or
  - unemployment insurance laws or programs,
- Any income that you receive from working while disabled to the extent that such income reduces the amount of your monthly benefit as described under Rehabilitation Incentive below. This includes but is not limited to:
    - salary,
    - commissions,
    - overtime pay, and
    - bonus or other extra pay arrangements from any sources, or
  - Recovery amounts that you receive for loss of income as a result of claims against a third party by judgment, settlement or otherwise, including future earnings.



## REHABILITATION INCENTIVE

If you participate in an approved rehabilitation program, MetLife will increase your monthly benefit by 10%.

### Work Incentive Benefit

If you work while you are disabled and receiving monthly benefits, your adjusted monthly benefit will not be reduced by the amount you earn from working, unless your adjusted monthly benefit plus the amount you earn from working exceeds 100% of your pre-disability earnings.

After the first 12 months following your elimination period, your monthly benefit will be reduced by 50% of the amount you earn from working while disabled.



### Family Care Benefit

If you work or participate in a rehabilitation program while you are disabled, you will be reimbursed for up to \$400 for monthly expenses you incur for each family member to provide:

- Care for your or your spouse's child, legally adopted child or child for whom you or your spouse are legal guardian and who is:
  - living with you as part of your household,
  - dependent on you for support, and
  - under age 13.

The child care must be provided by a licensed child care provider and may not be a member of your immediate family or living in your residence, or

- Care to your family member who is:
  - living with you as part of your household,
  - chiefly dependent on you for support, and
  - incapable of independent living, regardless of age, due to mental or physical handicap as defined by applicable law.

Care for your family member may not be provided by a member of your immediate family.



### Moving Expense Incentive

If you participate in a rehabilitation program while you are disabled, you may be reimbursed for expenses you incur in order to move to a new residence if recommended as part of the rehabilitation program. Such expenses must be approved by MetLife in advance.

## SURVIVOR BENEFIT

If you die while disabled, a single lump-sum benefit is paid to your eligible survivor(s). Your eligible survivors include:

- Your legally married spouse at the date of your death, or
- If there is no such spouse, your biological or legally adopted child(ren) who, when you died, is(are) not married, and is(are) under age 25, or
- Your estate, if there is no such surviving child(ren).



If more than one person is eligible to receive payment, MetLife will divide the benefit amount in equal shares.

The survivor benefit amount is three times the monthly benefit, not reduced by other income benefits, for which you were eligible in the full month just before the month in which you die.

If you die before you become eligible for one full monthly benefit, the survivor benefit amount is three times the monthly benefit, not reduced by other income benefits, for which you would have been eligible if you had not died, for the first full month after the month in which you die.

## **WHAT HAPPENS TO YOUR OTHER COMPANY BENEFITS**

Here is what happens to your coverage under Chevron Phillips Chemical's other benefit plans when you are receiving LTD benefits.

Participation in the following benefit plans continues for you and your enrolled dependents if you make the required contributions while you're on LTD:

- Medical, dental and mental health and chemical dependency, and
- Basic and supplemental life, including dependent coverage.

Employer contributions continue for these plans.

Participation in the Chevron Phillips Chemical 401(k) Savings and Profit Sharing Plan continues for as long as you continue to be eligible for LTD benefits. However, all employee and Company contributions are suspended while you're on LTD. All monies in the plan at the time of disability continue to achieve gains (and/or experience loss) of principal and earnings. You can continue to request loans and withdrawals.

Participation in the following benefit plans is suspended while you're on LTD:

- On-the-job accident insurance,
- Short-term disability, and
- Business travel accident insurance.



In addition, your participation in the health care and dependent care flexible spending accounts (FSAs) is canceled effective on the last day of the calendar month in which LTD benefits begin. You must re-enroll when you return to work if you want to participate in the FSAs after LTD benefits end.

You don't earn vacation time or receive pay for scheduled holidays that occur while you're on LTD.

If you return on the first workday following your last day of LTD, you're automatically re-enrolled in all benefit plans (except flexible spending accounts) in which you participated before you began receiving LTD benefits.

## When Benefits Are Not Paid

The LTD plan does not cover any disability that is caused or contributed to by:

- A pre-existing condition, if you have been actively at work for less than 12 months after your LTD coverage started. A pre-existing condition is a sickness or accidental injury for which you:
  - received medical treatment, consultation, care or services,
  - took prescription medication or had medications prescribed, or
  - had symptoms or conditions that would cause a reasonably prudent person to seek diagnosis, care or treatment,in the six months\* before your LTD coverage started,
- War, declared or undeclared, or act of war, insurrection or rebellion,
- Your active participation in a riot,
- Intentionally self-inflicted injury,
- Attempted suicide, or
- Commission of or attempt to commit a felony.

In addition, disability benefits will not be paid for any period of disability during which the employee is incarcerated in a penal or corrections institution.

\* Applies to employees who enroll on or after January 1, 2010. If you enroll in or change LTD coverage during the 2010 Open Enrollment period, the LTD plan does not cover a pre-existing condition you had in the **12** months before LTD coverage started.



## How to File a Claim

If you remain disabled after the six month elimination period, MetLife will confirm eligibility and, if approved, begin paying monthly LTD benefits to you. To apply for LTD benefits, you must contact your HR Business Partner.

### PAYMENT OF CLAIMS

Benefits are paid to you at the end of each calendar month during the period for which benefits are payable. Benefits for a period of less than a month are prorated. This is done on the basis of the ratio, to 30 days, of the days of eligibility for benefits during the month.

### CLAIMS ASSISTANCE

For assistance with questions or problems concerning benefits under this plan, call MetLife at 1-800-300-4296. If additional assistance is needed, you may also contact the insurance company at the address shown in the **General Information** section on page 290.

All decisions concerning the payment of claims under the plan are at the sole discretion of MetLife. If you disagree with the way your claim is handled, apply for a formal review. For more information, see the **Claims** section beginning on page 251.

### YOUR ERISA RIGHTS

As a participant in a Chevron Phillips Chemical benefit plan, you have certain rights under the Employee Retirement Income Security Act of 1974 (ERISA). For information about your rights under ERISA and other important information, see **Your ERISA Rights** on page 276.



## LOOKING FOR SOMETHING? TIPS FOR FINDING INFORMATION ... FAST!


There is a wealth of important information included in this summary, but who has time to look for it? Believe it or not, you can find what you need without having to search through pages and pages of information. By taking advantage of the summary's "search" function and "bookmarks," you can find the information you need in a matter of seconds.

### LOOKING FOR GENERAL, BIG PICTURE INFORMATION?

Just scroll down the table of contents — or "bookmarks" — shown at the left. Click on the applicable bookmark, and you will be taken to that section of the document.

### WANT SPECIFICS?

Use the summary's "search" function. To access this function:

- On the toolbar at the top of the screen, click on the Search tool .
- Type the word, words, or part of a word for which you want to search. If you want, you can refine the search by selecting one or more of the following options:
  - "Whole words only" to find only occurrences of the complete word you enter in the text box. For example, if you search for the word "doctor," the words "doctors" and "doctor's" will not be selected during the search.
  - "Case-Sensitive" to find only occurrences of the words that are in the case that you typed. For example, if you search for the word "doctor," the search would find "doctor," but wouldn't find "Doctor."
  - **Note:** For searching this summary, you do not need to select "Search in Bookmarks" or "Search in Comments."
- Click on "In the current PDF document" to show that you just want to search this summary. (Searching multiple PDF documents works well for PDFs that are copied onto your hard drive, but not for searching online PDFs such as our benefit summaries.)
- Click on "Search."
- All occurrences of the text for which you are searching will be shown in the results box. Scroll through the list and click on the applicable highlighted text to be taken to that text in the document.

Click on "New search" if you want to perform another search.

*(continued)*



## REAL-WORLD EXAMPLES ...

The following examples show you how to make the best use of the PDF search function.

### ■ To find out if you can enroll your domestic partner under your plan coverage:

- Access the search function, and search for “domestic.” The search results will be displayed in the results box. Click on the link to be taken to the exact information you need.
- Time spent searching? **5 seconds!**

### ■ You are getting married, and you want to see if you can enroll your new spouse in your coverage:

- You can save time by searching for “married,” “marriage” and “marry” all at the same time. To do so, access the search function, and search for “marr” (the first four letters of all three search terms). Every instance of “**m**arried,” “**m**arriage” and “**m**arry” in the summary will be displayed in the results box. Click on the links to see the plan provisions that apply. **Hint:** If you typed in “marr” and no instances were found, make sure the “Whole words only” box was not checked.
- Alternatively, you could have clicked on “When You Can Change Coverage” in the “bookmarks” shown at the left of the summary to be taken to that section of the summary. By scrolling through that section, you would have found the information you need in order to enroll your new spouse.
- Time spent searching? **20 seconds!**

### ■ You need to take a military leave of absence and want to know how your benefits will be affected:

- Access the search function, and search for “military.” The search results will be displayed in the results box. Click on the link to be taken to the “Military Leave” section of the summary.  
**Hint:** Do not narrow your search too much. If you had entered a very specific term, such as “military leave of absence,” the search function would not have helped you because those exact words are not used in this summary. It is better to start with a more generic search term, such as “military,” and then narrow your search later if necessary.
- While you are reading the “Military Leave” section information, you see references to the “Uniformed Services Employment and Reemployment Rights Act (USERRA).” If you perform a follow-up search for “USERRA,” you will learn more about military leaves and your Company benefits.
- Time spent searching? **20 seconds!**