

The Transit Commuter Benefit Plan allows you to pay for Eligible Transportation Expenses on a before-tax basis. By paying for expenses on a before-tax basis, you reduce your income for the purpose of state, federal and Social Security taxes. Enrollment in the Transit Commuter Benefit Plan is optional. **Please note that the Employer reserves the right to amend or terminate this Transit Commuter Benefit Plan at any time and for any reason.**

WHO IS ELIGIBLE FOR THE TRANSIT COMMUTER BENEFIT PLAN?

Active Employees

All regular employees of Brookhaven Science Associates, LLC (the "Employer") who work at least 20 hours per week are eligible to participate in the Transit Commuter Benefit Plan on the first day of active employment.

An employee is a "regular employee" if he/she is classified and treated for federal income tax purposes by the Employer as a regular full-time or regular part-time employee of the Employer (as opposed to a temporary, seasonal or casual employee, intern, independent contractor or consultant, agency worker or leased employee), even if the Employer's classification is later determined to be incorrect.

Ineligible Employees

The following employees are not eligible for the Transit Commuter Benefit Plan:

- Employees who are resident undocumented aliens; and
- Employees whose terms of employment are covered by a collective bargaining agreement to which the Employer is a party, unless the collective bargaining agreement provides otherwise.

ENROLLMENT

Eligible employees may enroll in the Transit Commuter Benefit Plan at any time.

To enroll, you must complete an enrollment form and indicate the amount you want to contribute to the Transit Commuter Benefit Plan. Enrollment forms are available through the BSA Benefits Office. By completing the form, you will authorize an annual salary reduction amount. During the Open Enrollment Period, you may enroll online. Your actual contributions will be made from your paycheck in equal monthly or weekly installments depending on your pay status.

Coverage begins on the day you elect it on the enrollment form and submit it to the BSA Benefits Office.

Open Enrollment Period

Open enrollment is held once a year. During the Open Enrollment Period, you may elect your contribution amount for the following calendar year. Coverage will not automatically carry forward from year to year. Your election during the Open Enrollment Period will be effective January 1 of the following calendar year.

Changes in Contribution Amounts

The amount you elect to contribute to your Transit Commuter Benefit Plan Account will remain in effect until you make another election and either change the amount you are contributing, terminate the Account or until the end of the calendar year. Your elections can be changed at any time.

TRANSIT COMMUTER BENEFIT PLAN COVERAGE

Benefits Provided

You can use the Plan to reimburse yourself for eligible commuting expenses (such as vanpooling, trains, and buses related to your commute to and from work) with before-tax dollars. It excludes parking, gasoline and telecommuting expenses. Estimate the amount you expect to spend in the coming year on transit commuter expenses. Then to cover these costs, you contribute to your Account through automatic salary reduction. Throughout the year, you draw money out of your Account and reimburse yourself for the transit commuter expenses as you incur them.

What Transportation Expenses are Reimbursed?

Eligible Transportation Expenses:

- Includes Transit Pass Expenses: expenses incurred for a pass, token, fare card, voucher, or similar item (a “Pass”) for transportation if such transportation is:
 - on mass transit facilities, whether or not publicly owned, or
 - provided by any person in the business of transporting persons for compensation or hire if such transportation is provided in a vehicle with seating capacity of at least six adults (excluding the driver)
- Includes Commuter Highway Vehicle (Vanpool) Expenses: expenses incurred for transportation in a “commuter highway vehicle” if such transportation is in connection with travel between your residence and place of employment. A Commuter Highway Vehicle is any highway vehicle:
 - with a seating capacity of at least six adults (not including the driver), and
 - for which at least 80% of the mileage is:
 - for the purpose of transporting employees in connection with travel between their residence and their places of employment, and
 - on trips during which the number of employees transported for such purposes is, on average, at least half of the adult seating capacity of the vehicle (not including the driver).
- Does not include parking, gasoline, carpool, telecommuting expenses and fares (such as airplane, limousine and taxi).

How Much May You Contribute Each Year to the Transit Commuter Benefit Plan?

In 2023, you may contribute up to \$3,600 per calendar year. The minimum monthly amount is \$25 and the maximum monthly amount is \$300. These amounts are subject to change.

Does the Use of Before-Tax Contributions to the Transit Commuter Benefit Plan Affect Any Other Benefits?

It may. If your annual salary is below the Social Security wage base, your future Social Security benefit may be reduced, but only minimally.

CLAIMS/PAYMENT OF EXPENSES

How to File a Claim or Pay for Expenses

The amounts credited to the Transit Commuter Benefit Plan for you may only be used for your eligible expenses incurred while you were covered under the Transit Commuter Benefit Plan. An expense is incurred on the date that the service which gives rise to the expense is rendered. If you are not sure whether an expense qualifies for transit commuter reimbursement, you should contact the Claims Administrator.

You must either:

- Use your PayFlex card (which is similar to a debit card) at the point of purchase for your eligible expenses where the expenses are debited directly from your Account, or
- Complete a PayFlex Transportation Claim Form, available in the BSA Benefits Office or through the BSA Benefits Office website at <http://www.bnl.gov/hr/Benefits/docs/reimbursement/Transit-Claim-Form.pdf> , or
- Go online to www.PayFlex.com and submit your claim electronically.

In general, when submitting a claim for reimbursement, you must submit a receipt along with your claim form including provider name and address, date of service, type of service provided, and dollar amount charged for the service.

You can pay for your eligible expenses with the PayFlex card or submit for reimbursement from your Account. If you submit for reimbursement of your claims, you may either set up a direct deposit option with PayFlex or receive a check which is mailed to your home.

Payments will be issued daily for eligible expenses. You can only be reimbursed for up to the total amount that is in your Account at the time of your claims submission or when you use your PayFlex card. You cannot be reimbursed for expenses incurred prior to your participation in the Plan.

How Long Do You Have to Submit Claims for Reimbursement?

You have until March 31 following the calendar year in which you incurred expenses to submit claims for reimbursement. So, for example, if you buy a train ticket in December, you would still have up to March 31 to claim the expense, provided there is money remaining in your Transit Commuter Benefit Plan Account.

If you are an eligible employee, unused funds in your Account at the end of the plan year will be rolled over into the following plan year. Funds that are rolled over are available for reimbursement of eligible expenses incurred in the plan year in which they were rolled into, even if you did not elect to participate in the Transit Commuter Benefit Plan for that year. Any funds rolled over apply toward the calendar year maximum.

If you have any funds in your Account at the time you terminate employment, terminate the Account or cease to be eligible to participate, these funds will be forfeited if they are not used for

expenses incurred prior to these dates and you do not submit them for reimbursement within the applicable timeframes. Any expenses incurred after these dates are not eligible for reimbursement.

Questions About Claims

If you have a question about your Transit Commuter Benefit Plan claim, you should contact PayFlex at (800) 284-4885.

How to Appeal a Claim

If your claim is denied, you will receive a written notice of the denial from the Claims Administrator. The notice will explain the reason for the denial and indicate the review procedures. You may request a review of the denied claim. The request must be submitted in writing to the Claims Administrator within 60 days after you receive the denial notice. Submit your request, including your reasons for requesting the review and any additional documents which you believe support your claim. The Claims Administrator will review the claim and ordinarily notify you within 60 days of the date your request for review is received. In special cases requiring a delay, the Claims Administrator will render a decision no later than 120 days after your request for review is received.

DEFINITIONS

Claims Administrator

The Claims Administrator is:

PayFlex Systems USA, Inc.
P.O. Box 3039
Omaha, NE 68103-4310
Telephone: (800) 284-4885
Fax: (402) 231-4310

MISCELLANEOUS

General Information

The Transit Commuter Benefit Plan is not covered by ERISA.

Leave of Absence

If you are on an approved Leave of Absence, your contributions to this Plan will cease and your Account will be terminated. Only expenses incurred prior to the leave will be eligible for reimbursement. Upon return to work, you may once again elect to participate by completing an enrollment form.

Restrictions

Transit Commuter Benefit Plan Accounts are allowable under Section 132(f) of the Internal Revenue Code, and certain restrictions apply to them.

All unused Transit Commuter Benefit Plan Account balances remaining when you are no longer an eligible employee or terminate employment are forfeited.

TERMINATION OF COVERAGE

Transit Commuter Benefit Plan benefits will cease on the earlier of the date your employment terminates or the date you are no longer eligible for coverage. You may not continue your Transit Commuter Benefit Plan Account.

Please note that your coverage will terminate immediately if you commit an intentional misrepresentation or fraud on the Transit Commuter Benefit Plan.

Your coverage will also end on the date the Employer discontinues the Transit Commuter Benefit Plan.