

**LOCKHART  
401(K)/RETIREMENT PLAN  
2024 SAFE HARBOR ANNUAL NOTICE**

**INTRODUCTION**

This Notice contains information related to the Lockhart 401(K)/Retirement Plan (the "Plan") for the plan year beginning on 01/01/2024. The plan year is each 12-month period ending on 12/31.

The safe harbor features apply to the Plan. This Notice gives you important information about these Plan features and how they will affect you. For further information about the Plan, please see your copy of the Plan's Summary Plan Description (SPD). If you need a copy of the SPD, would like a copy of other Plan documents, or if you have any further questions on the information contained in this Notice, please contact the Plan Administrator at:

Lockhart Companies, Inc.  
Address: P.O. Box 7020, St. Thomas, VI 00801  
Phone number: 340-776-1900

**ELECTIVE DEFERRALS**

Your elective deferrals are amounts that you choose to (or are assumed to have chosen to) have withheld from your paycheck and contributed to the Plan in your name. Please see the section of your SPD titled "Eligibility" to determine if you are eligible to make elective deferrals and "Compensation" for the definition of compensation you may defer into the Plan.

**How do I make or change my deferral election?**

You may make or change your deferral election by returning a deferral election form to the Plan Administrator.

**Once I make a deferral election, how often can I change, stop, or re-start the election?**

You may change or re-start your deferral election once a quarter. You may stop your deferrals at any time.

**If I make a deferral election is the amount withheld from my paychecks taxed?**

You will have the option to decide if the amount you elect to defer into the Plan is taxed or not. If you choose to have your elective deferrals go into the Plan as pre-tax elective deferrals, you will not be taxed until you take the money out of the Plan. If you choose to have your elective deferrals go into the Plan as Roth elective deferrals, you will be taxed on that money when it is taken out of your paycheck, but it will not be taxed again when you take it out of the Plan. The earnings on those Roth elective deferrals may be taken out tax-free if certain conditions are met. Please see the SPD for more information on Roth elective deferrals.

**Are there any limits to how much I can defer into the Plan?**

Your elective deferrals are subject to the following limits:

- Your total amount of deferrals cannot be more than \$22,500 (for 2023).

- If you are age 50 or over, you may defer an additional amount, called a "catch-up contribution," of up to \$7,500 (for 2023).

The Plan Administrator may establish additional rules you will need to follow when making your deferral election. Your deferral election is only effective for compensation you have not received yet. The Plan Administrator may also reduce or totally suspend your election if they determine that your election may cause the Plan to fail to satisfy any of the requirements of the Internal Revenue Code.

## **SAFE HARBOR CONTRIBUTIONS**

The Plan Administrator intends the Plan to be a safe harbor plan. In a safe harbor plan, if certain requirements are met, the Plan will be deemed to automatically pass certain IRS required non-discrimination testing (ADP, ACP, and top-heavy). One of these requirements is a minimum level of employer contributions referred to as "safe harbor contributions". Please see the section of your SPD titled "Compensation" for the definition of compensation used to determine safe harbor contributions. The Plan may be amended during the plan year to reduce or suspend the safe harbor contributions. The reduction or suspension will not apply until at least 30 days after you are provided notice of the reduction or suspension.

### **Am I eligible to receive safe harbor contributions?**

Once you meet the eligibility requirements below, you will be eligible to receive safe harbor contributions unless you fall into one of the following categories:

- You are an employee covered by a collective bargaining agreement where retirement benefits were the subject of good faith bargaining.
- You are: Employees who work or reside in Puerto Rico .

### **What eligibility requirements do I have to meet to receive safe harbor contributions?**

You will be eligible to receive safe harbor contributions on the first day of each plan quarter coincident with or next following the day you meet the following requirement(s):

- You complete 1000 hours of service in a 12-month period.

### **Will safe harbor contributions be made to my account under the Plan?**

Yes, as long as you are eligible to receive safe harbor contributions, a safe harbor matching contribution equal to 100% of your deferrals up to 4% of your compensation will be made to your account.

### **Will any additional contributions be made to my account under the Plan?**

Additional contributions may be made to your account under the Plan. Please see the section of your SPD titled "Contributions" for information on any further contributions.

## **VESTING**

Vesting refers to the amount of money you have in the Plan that you have a non-forfeitable right to receive. You may be required to work a certain amount of time to earn certain contributions to the Plan. Please see your SPD section titled "Vesting" for more information about vesting and how it is

calculated.

**Do I need to work a certain amount of time to keep my elective deferrals and safe harbor matching contributions?**

No, you will always be immediately 100% vested in your elective deferrals and safe harbor matching contributions.

**Do I need to work a certain amount of time to keep my matching contributions?**

Yes, your matching contributions will vest as specified below:

- Less than one year of vesting service - 0%
- One year but less than two years of vesting service - 25%
- Two years but less than three years of vesting service - 50%
- Three years but less than four years of vesting service - 75%
- Four years but less than five years of vesting service - 100%
- Five years but less than six years of vesting service - 100%
- Six or more years of vesting service - 100%

**Do I need to work a certain amount of time to keep my non-elective contributions?**

Yes, non-elective contributions will vest as specified below:

- Less than one year of vesting service - 0%
- One year but less than two years of vesting service - 25%
- Two years but less than three years of vesting service - 50%
- Three years but less than four years of vesting service - 75%
- Four years but less than five years of vesting service - 100%
- Five years but less than six years of vesting service - 100%
- Six or more years of vesting service - 100%

## **DISTRIBUTIONS**

**Can I take a distribution of my account balance after my employment terminates?**

Yes, you can take a distribution of your account balance immediately after your employment terminates.

**Can I take a distribution of my account balance if I am still working when I reach the normal retirement date?**

Yes, you can take a distribution of the following fully vested account balances when you reach normal retirement age (the later of age 65 or your 5th anniversary of participation) while you are still working: All Accounts.

**Can I take a distribution of my account balance when I reach age 59-1/2?**

Yes, you can take a distribution of all of your fully vested account balance when you reach age 59-1/2.

**Can I take a distribution of my account balance while still working at any time?**

Yes, you can take a distribution of your rollover contribution account balances at any time.

**Can I take a distribution of my account balance while still working if I incur a hardship?**

Yes, you can take a hardship distribution of your fully vested account balances while still working if you incur a hardship.

**Can I take a loan from the plan?**

Yes, you may be able to take a loan secured by your assets in the plan.

Please see the SPD section titled "Distributions" for further information on your distribution options.

**PLAN INVESTMENTS**

**Can I direct how my account balances will be invested?**

Yes, you can direct how your entire account balance will be invested from among the different investments offered under the Plan.

You may make or change your investment elections by returning an investment election form to the Plan Administrator.

**How often can I change my investment election?**

Subject to any additional restrictions placed on investment timing by the actual investment, you may change your investment elections daily.

**How will my account balances be invested if I do not make an investment election?**

If you do not make an investment election your account balances will be placed in investments selected by the Plan Administrator.