

**Memorandum of Understanding
Between
North America's Building Trades Unions
And
Great Arrow Builders LLC**

PER DIEM AND SITE ALLOWANCE

This Memorandum of Understanding is entered into this 16th day of November, 2018, by and between Great Arrow Builders LLC (Employer) and North America's Building Trades Unions (NABTU), on behalf of itself and the National and International Unions signatory to the National Construction Agreement (NCA) as amended by the Site Conditions Addendum for the Pennsylvania Chemicals construction project in Monaca, Pennsylvania, and those Local Unions affiliated with such National and International Unions who accept the terms of the NCA and this Memorandum by virtue of accepting their benefits and/or referring workers to Pennsylvania Chemicals (the Project).

The Parties recognize that skilled craft shortages exist and the manpower requirements for the Project cannot be met with local Building and Construction Trade resources. A Per Diem Allowance will assist workers from outside the local area with expenses incurred traveling to and from the project, and while living away from home.

Further, the Parties recognize that attracting and retaining skilled Union Craft Workers is essential to safety, quality, and schedule performance. A daily Site Allowance promotes work force stability, and in addition to a 100% wage rate and minimum 48-hour work week, helps the project attract and retain highly skilled Craft Workers.

Therefore, it is agreed that:

Beginning November 26, 2018, construction craft workers at the Project site in Monaca, Pennsylvania, who have a permanent residence more than sixty (60) highway miles from the site ("Travelers") and are employed on or after the date of implementation of this Agreement shall receive a Per Diem Allowance of at least sixty-three dollars (\$63) for each day reporting for work.

Mileage will be calculated by using the most direct main traveled route as determined from a web-based search (selected by the Employer). Eligible employees will be required to sign an agreement that they will not commute daily between their permanent residence and the Project.

Proof of permanent residence will require either a real estate deed, title, mortgage, or lease agreement in the name of the employee or their legal spouse dated prior to the implementation date or the employee's hire date. For owned property, the most recent mortgage statement or property deed with tax record will be required. For leased property, proof of rental payment must be provided; cash withdrawals and hand-written receipts will not be accepted. Vacant lots do not qualify as residences for the purpose of this agreement.

A valid driver's license or state issued identification card with the same address as the property identified by the deed, title, mortgage, or lease, will be required. Also required will be a current utility bill (electric, water or gas) for that property in the name of the employee or their spouse. Employees who do not meet these requirements (e.g., live with their parents) will not be eligible for Per Diem unless approved by the Employer Operations Manager (or designee).

Current employees of the Employer as of November 26, 2018, will have two weeks to submit proof of residence described above to receive the Per Diem allowance from the date of implementation. Current employees who do not submit proof of residence within those two weeks will receive the Per Diem effective the date they produce proof of residence, provided it is dated prior to November 26, 2018.

New hires will receive the Per Diem Allowance effective on their date of hire, provided they present the required documentation within two weeks of their hire date. Otherwise, they will receive the allowance effective the date they produce proof of residence, provided it is dated prior to their hire date.

The Per Diem Allowance will be paid to employees covered above on the seven holidays specified by the National Construction Agreement that falls during the normal workweek (Monday through Friday), provided the employee works the first scheduled workday before and after the holiday. The Per Diem Allowance will also be paid to eligible employees on day(s) missed due to inclement weather when the Project is closed provided the employee works the first scheduled workday before and after the day(s) missed due to the inclement weather.

Further, beginning November 26, 2018, all construction craft employed at Pennsylvania Chemicals in Monaca and Allquippa will receive fourteen dollars (\$14) for a Site Allowance each day they report to work.

The provisions of this Agreement do not apply to craft who currently receive a subsistence allowance; e.g., under the National Transient Division Agreement or under the terms and conditions of a subcontract.

Fringe benefit contributions will not be paid to any fringe benefit fund on behalf of any bargaining unit employee based on the payment of Per Diem or Site Allowances. U.S. Government Internal Revenue Service and State of Pennsylvania tax regulations will apply to both.

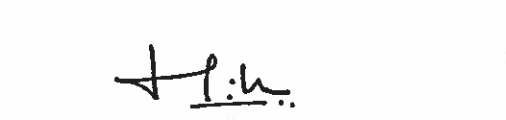
This Memorandum of Understanding may be terminated at the sole discretion of Great Arrow Builders, provided that thirty (30) days written notice of termination is provided to North America's Building Trades Unions, the Project, and the Beaver County Building Trades. Any disputes over the application or termination of this Memorandum of Agreement will be processed pursuant to the grievance procedure set forth in Article 13 of the National Construction Agreement.

North America's Building Trades Unions:



Sean McGarvey, President

Great Arrow Builders LLC:



Santosh Nalk, Site Manager



Brent Booker, Secretary-Treasurer



Mark Selbert, Labor Relations Manager



PER DIEM ELIGIBILITY SUBMITTAL FORM

Name: _____

Address: _____

Badge #: _____

Hire Date: _____

Date Submitted: _____

Please provide the following documentation:

1. Proof of permanent residence – Submit one of the following documents (must be dated prior to November 26, 2018 for current employees, or date hired for new employees).

- real estate deed or title in the name of the employee or their legal spouse, or
- most recent tax bill or mortgage payment in the name of the employee or their legal spouse, or
- For leased property, lease agreement and proof of rental payment in the name of the employee or their legal spouse; cash withdrawals and hand-written receipts will not be accepted.

2. Identification- Valid driver's license or state issued identification card with the same address as the property identified by the deed, title, mortgage, or lease.

3. Current utility bill (electric, water or gas) for the residence in the name of the employee or their legal spouse.

I hereby affirm that the information provided with this Per Diem Allowance Eligibility Submittal Form is true and accurate, and that if I am being paid the Per Diem Allowance I will not drive daily to and from the site from the permanent residence identified above.

Signature

Date

PER DIEM AND SITE ALLOWANCE FREQUENTLY ASKED QUESTIONS:

- Q: What are the basic documents required to apply for Per Diem?
A: The Per Diem Allowance is meant to offset duplicate expenses incurred by travelers. You will be required to provide at minimum, driver license, proof of residence outside 60 miles driving distance and a current utility bill (electric, water, gas) that all have matching addresses.
- Q: I am required to have a CDL in the State of Pennsylvania to perform my work duties at Pennsylvania Chemicals, my driver's license will not match my permanent address. Do I qualify for Per Diem?
A: The Per Diem Allowance is meant to offset duplicate expenses incurred by travelers. You will be asked to provide additional documentation to qualify which may include but is not limited to a copy of spouse's driver license that matches permanent address.
- Q: What if I live with my parents and don't own my residence or have utility bills in my name?
A: The Per Diem Allowance is meant to offset duplicate expenses incurred by travelers. If you live with your parents and don't have living expenses at your home address, you do not have duplicate expenses.
- Q: Do I receive Per Diem when the site is closed Holidays or Inclement Weather?
A: Yes, provided the employee works the first scheduled day before and after.
- Q: I submitted a current phone bill, cellular phone bill, insurance bill, or car registration, do these suffice for utility bills?
A: No. Only electrical, water, or natural gas utility bills with a matching address to the permanent residence are acceptable as provided in the MOU and notice to craft employees.
- Q: I take a different route to the job site and it is over 60 miles although the shortest route is less than 60 miles, do I qualify for Per Diem?
A: No. Per Diem eligibility will be calculated via web-based search (selected by the Employer) that uses the direct main traveled route and must be more than sixty (60) highway miles.
- Q: How do I appeal a denial for the Per Diem Allowance?
A: Ask your Steward to present your evidence to Labor Relations; the final decision will be made by the Site Manager or his designee.
- Q: My permanent residence and utility bills are in my spouse's name, do I qualify for Per Diem?
A: Yes, however you must provide the same proof of residence inclusive of spouse's driver license and a copy of marriage certificate may be required.
- Q: Why are all of these documents required for my eligibility for Per Diem?
A: As part of the MOU between GAB and NABTU these documents were outlined to provide proof of eligibility. Additionally, it supports billing of our client and ensures that the Per Diem Allowance is only applied to those who qualify as it is meant to offset duplicate expenses incurred by travelers.
- Q: I live with my girlfriend/boyfriend/partner and everything is in their name, do I qualify for Per Diem?
A: Per the Memorandum Of Understanding with the North American Building Trades and Unions, it must be a spouse.
- Q: If I have a lease agreement, why do I have to provide a current copy of lease payment or receipt?
A: This validates that the employee still has a current lease in place. The Per Diem Allowance is meant to offset duplicate expenses incurred by travelers.
- Q: How current do the lease and utility bills have to be?
A: The copies used for validation should be within the last 60 days prior to application for Per Diem, the more current the better.
- Q: I travel and move for work and my driver's license does not match my permanent address and I haven't had a chance to change it?
A: If denied Per Diem you may appeal through Labor Relations and any final determination will be made by the Employer Operations Manager (or designee).

- Q: Why aren't handwritten rental receipts accepted as proof of residence?
A: They are not official records and are too easily falsified.
- Q: When will the Per Diem be applied to my pay check?
A: Once approved the Per Diem will be on your next pay period ending check. It will be paid from the date you provided documents supporting proof of residence.
- Q: How do I qualify for the Site Allowance?
A: All construction personnel employed at Pennsylvania Chemicals in Monaca and Aliquippa will receive the Site Allowance for each day they report to work. This does not apply to craft who currently receive a subsistence allowance or "call out" subcontractor employees who do not start and end their work day on the job site.
- Q: Do I receive Site Allowance when the site is closed Holidays or Inclement Weather?
A: No. Site Allowance is only paid for each day an employee reports to work.