
Your DuPont Benefit Resources

BeneFlex Vacation Buying Plan

July 2003

As of July 2003, participating employers in the BeneFlex Vacation Buying Plan include:

- E. I. du Pont de Nemours and Company
- DuPont Dow Elastomers L.L.C.
- Solae, L.L.C.
- DuPont Textiles & Interiors, Inc.
- DuPont Photonics Technologies, L.L.C.
- DuPont Protective Apparel Marketing Company

All references to “the Company” in this document pertain to the specific company that employs you.



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DETAILS OF THE PLAN

Preface

This **Summary Plan Description (SPD)** provides a concise description of Plan coverage available for you.

While this SPD contains detailed and important information about your benefit Plan, every attempt has been made to communicate that information clearly and in easily understandable terms.

While the **Company** intends to continue the benefits and policies described in this booklet, the Company reserves the right to change, modify or discontinue the Plan at its discretion at any time. This SPD does not constitute a contract of employment or guarantee any particular benefit.

In the event of a discrepancy between this SPD and the Plan document, the Plan document will govern.

Introduction

Sometimes the amount of **earned vacation** time we have just is not enough for that special trip or event we are planning. The Company offers Vacation Buying, through BeneFlex. You can purchase up to a week (maximum of 40 hours) of extra vacation time—that is time off in addition to your earned and **banked vacation**.

BeneFlex Vacation Buying may be the right choice for you if:

- you're a new employee with limited vacation time
- you need extra time off for a special vacation
- your spouse has more vacation time than you
- you just want some extra time off

You can spread the cost over the **Plan Year** on a before-tax basis. You receive your pay when you take the time off—simply schedule your purchased vacation in advance, just like regular vacation.

Eligibility

Eligible employees

You are eligible for BeneFlex Vacation Buying if you are:

- a **Full-Service Employee** of DuPont U.S. Region
- a Full-Service Employee of a participating DuPont subsidiary or joint venture that has adopted this Plan

Since January 1, 1992, the BeneFlex Flexible Benefit Plan has been offered to all DuPont U.S. Region employees. However, you are not eligible for BeneFlex Vacation Buying if you are an employee, or dependent of such employee, in a bargaining unit represented by a union for collective bargaining unless and until the site manager has authorized the benefit, collective bargaining on the subject has taken place, and any requisite obligations thereunder have been fulfilled.

Enrollment

Enrolling in the plan

You can enroll in BeneFlex Vacation Buying during the annual **BeneFlex Election Change Period** or when you first become eligible. You enroll:

- by calling DuPont Connection toll-free at 1-800-775-5955
- by visiting BeneFlex OnLine at <http://resources.hewitt.com/dupont>

Coverage will stay in effect for the entire **Plan Year**, January 1 through December 31.

You do not have to re-enroll each year. If you do not make a change during the annual BeneFlex Election Change Period, you will remain enrolled in Vacation Buying for the following year.

If you are a newly hired employee, you must call DuPont Connection to make your benefit elections within 31 days of the date on your new hire package that is mailed to you. If you do not enroll, you will be defaulted to no coverage.

If you do not enroll when you first become eligible, you may elect BeneFlex Vacation Buying during the next annual BeneFlex Election Change Period.

You may not elect BeneFlex Vacation Buying during the Plan Year even if you have a **Qualifying Life Event**.

When coverage begins

When you elect BeneFlex Vacation Buying during the annual BeneFlex Change Period, your coverage begins January 1 of the new Plan Year.

If you are a new hire that elected Vacation Buying during the Plan Year, your election becomes effective the first of the month following your election.

Making changes

You may not change your BeneFlex Vacation Buying election during the Plan Year, even if you have a Qualifying Life Event.

Changes during the annual BeneFlex Election Change Period

You may change your BeneFlex elections once each year during the annual BeneFlex Election Change Period.

During the annual BeneFlex Election Change Period, you may do any of the following:

- enroll to participate,
- cancel your participation,
- change the number of hours you purchase.

All changes in the BeneFlex Vacation Buying Plan made during the BeneFlex Election Change Period will become effective on the first day (January 1) of the new Plan Year.

Plan Benefit

How BeneFlex Vacation Buying works

You may buy additional vacation with **before-tax deductions** from your paycheck. Purchase up to one week (a maximum of 40 hours) for the year. Purchase any number of whole hours up to 40, consistent with vacation practices for your work group. If your normal work week is less than 40 hours, you can purchase up to the total number of hours in your work week. Purchase the time and follow the usual vacation scheduling practices of your work group.

Basic rules

The extra vacation time that you purchase is available at the beginning of the Plan Year. However, *you must use all your earned and banked vacation days before you can use purchased time.*

You must use your purchased vacation time by the end of the Plan Year. If you find that you are not able to use all your purchased hours, contact DuPont Connection before December 1 to arrange for a taxable cash reimbursement, known as a “**vacation cash-out**,” in December.

Once you elect a vacation cash-out, your election cannot be changed.

If you elect to cash out your unused purchased vacation, your deductions will continue and the value of the reimbursed vacation hours will be included in your last paycheck in December.

If you do not arrange for reimbursement by December 1 and do not use your purchased hours by the end of the year, you lose these hours and the money you paid for them.

You cannot bank purchased vacation, nor can you sell earned vacation days.

Pay for purchased vacation may not be advanced.

If you terminate employment during the year, the remaining annual cost for the elected purchased vacation will be deducted from your final pay. If you have not used all the purchased vacation, you will receive a taxable refund in your final pay for the unused hours.

Buying extra vacation

The price of extra vacation hours is based on your **Normal Annual Earnings** when BeneFlex prices are established each year and the number of extra vacation hours you want to buy. The following example illustrates how your price is determined:

Example

Your Normal Annual Earnings	\$33,200 divided by 2,080 hours =
Your Annual Price per Hour	\$15.96 divided by 12 months =
Your Monthly Price per Hour	\$1.33

	Your Monthly Price Per Hour		Number of Extra Vacation Hours You Want		Your Monthly Price
Example 1	\$1.33	×	8	=	\$10.64
Example 2	\$1.33	×	20	=	\$26.60
Example 3	\$1.33	×	40	=	\$53.20

Each fall, prior to the BeneFlex Election Change Period, you will receive your personal monthly price per hour for any vacation you want to buy. Just multiply this number by the number of extra vacation hours you want to buy and that is your monthly price. Keep in mind that these figures are only examples and have been rounded for simplicity. Your actual monthly price may be more or less, depending on your pay rate.

When you purchase extra vacation hours through deductions from your paycheck, the monthly price is deducted in equal amounts throughout the Plan Year. This amount does not increase during the year, even if you receive a pay raise.

How to use your purchased vacation

To use the vacation hours that you purchase, you must schedule time off in advance and in accordance with the vacation scheduling practices of your work group. In addition, you must schedule time off in increments that are consistent with how your work group takes vacation time; for example, in hours or in days. You must schedule and use the purchased vacation hours in the same Plan Year you bought them.

You must contact your Site Human Resources representative if you believe you are:

- denied the ability to use the vacation hours your purchase, or
- denied the ability to be reimbursed for unused vacation hours, or
- do not believe that the price of the hours you purchase or are reimbursed is accurate

You should seek a clearer explanation of any denial of the vacation hours you purchase or the calculations used to determine the price of your hours from your Site Human Resources representative.

Appealing a claim for purchased vacation benefits

You have the right to request, free of charge, access to and copies of all documents, records and other information relevant to your claim for purchased vacation benefits. If, after contacting your Site Human Resources representative and requesting additional information, you still have not received an adequate explanation concerning your claim for benefits under the Plan, you have a legal right to appeal the denial or partial denial of your claim.

Your final **appeal** is to DuPont. To appeal the denial, you should notify DuPont Connection in writing requesting a claim review. The request for the appeal should include additional documentation supporting the claim for purchased vacation benefits and the reasons why you disagree with the decision.

The request for appeal should include:

- the specific reasons why you think the claim should be reconsidered and approved
- any additional documentation that supports the approval of the claim

You must make this request in a timely manner, preferably within 60 days after you receive the original claim decision or after you receive a claim denial.

You will receive information about the final decision from DuPont Connection which will respond within 60 days for post-service claims (or 15 days for pre-service claims).

Special circumstances may cause the review to take longer. You will be notified if the review is extended and the reason for the extension.

When you are notified of the final decision, the notice will provide the reason for the decision and the specific Plan provisions on which it is based. DuPont, as Plan Administrator, has full discretion and authority to interpret Plan provisions, resolve any ambiguities and evaluate claims. The decision made by DuPont is final and binding.

The exhaustion of the claim and appeal procedure is mandatory for resolving any claim arising under this Plan. Applicable law requires you to pursue all claim and appeal rights on a timely basis before seeking any other legal recourse regarding claims for benefits.

How the Plan will handle your appeal

In reviewing your appeal, all information that you submit, regardless of whether that information was considered at the time you submitted your initial claim, will be considered and a new review will be completed. The party reviewing your appeal will not have participated in the original claim determination and will not be a subordinate of the party who made the original claim determination.

About Your Coverage

If you leave the Company

Your BeneFlex Vacation Buying Plan ends when you leave the Company for any reason, including retirement, and are no longer employed as an active Full-Service Employee.

If you terminate during the Plan Year, the remaining annual cost for purchased vacation you elected will be deducted from your final pay. If you have not used all of the vacation you purchased, you will receive a taxable reimbursement for unused hours in your final pay.

Coverage when you are not working

Taking a leave of absence does not affect your BeneFlex Vacation Buying Plan.

You may use purchased vacation only during periods of scheduled work.

You are responsible for continued payment of your purchased vacation cost while you are on an unpaid leave of absence.

Future of the Plan

While the Company intends to continue the benefits and policies described in this booklet, the Company reserves the right to suspend, modify, or terminate this Plan at its discretion at any time.

ADMINISTRATIVE INFORMATION

The information presented in this Summary Plan Description is intended to comply with the disclosure requirements of the regulations issued by the U.S. Department of Labor under the Employee Retirement Income Security Act of 1974 (**ERISA**).

Overpayments and other errors

If a benefit is paid that is larger than the amount allowed by the Plan, the Plan has a right to recover the excess amount from the person or agency who received it. Erroneous statements will not change the rights or obligations under the Plan and will not operate to grant additional benefits or coverage.

ERISA Rights

As a participant in the BeneFlex Vacation Buying Plan, you are entitled to certain rights and protections under ERISA. ERISA entitles you to:

- examine, at the Plan Administrator’s office and other specified locations, including work sites and union halls if applicable, without charge, all Plan documents governing the Plan. These documents may include insurance contracts, collective bargaining agreements if applicable, and the latest annual report (Form 5500) filed by the Plan with the U.S. Department of Labor and available at the Public Disclosure Room of the Employee Benefits Security Administration.
- obtain, after sending a written request to the Plan Administrator, copies of documents governing the operation of the Plan, including insurance contracts and collective bargaining agreements if applicable, and copies of the latest annual report (Form 5500 Series) and updated Summary Plan Description. You may be asked to pay a fee for the copies.
- receive a written summary of the Plan’s annual financial report. The Plan Administrator is required by law to provide each participant with a copy of this summary annual report.

In addition to creating rights for Plan participants, ERISA imposes duties on the people responsible for the operation of the Plan. The people who operate your Plan, called “fiduciaries,” have a duty to do so prudently and in the best interest of you and other Plan participants and beneficiaries. No one, including your employer, your union or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA.

If your claim for a benefit is denied or ignored, in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to **appeal** any denial, all within certain time schedules.

Under ERISA, there are several steps you can take to enforce your rights. For instance, if you request a copy of Plan documents or the latest annual report from the Plan and do not receive it within 30 days, you may file suit in federal court. In such a case, the court may require the Plan Administrator to provide

the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the Administrator's control.

If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in a state or federal court. In addition, if you disagree with the Plan's decision or lack of decision about the qualified status of a domestic relations order or medical child support order, you may file suit in federal court. If Plan fiduciaries misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees if, for example, it finds your claim is frivolous.

If you have any questions about your Plan, contact the Plan Administrator. If you have questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory. You may also contact the Division of Technical Assistance and Inquiries, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue N.W., Washington, D.C. 20210. You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.

Plan Sponsor

E. I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898
Phone: 1-302-774-1000

Other companies related to DuPont also adopt the Plan for the benefit of their employees from time to time. You can get a list of adopting employers and their addresses from the Plan Administrator.

Plan Name

This summary describes benefits for the BeneFlex Vacation Buying Plan.

Type of Plan and Administration

The Plan is a welfare plan as defined by the Employee Retirement Income Security Act of 1974 (ERISA) that makes additional vacation available. The Plan is administered by the Company.

Plan Administrator

E. I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898
Phone: 1-302-774-1000

Plan Sponsor's Employer Identification Number (EIN)

The EIN is 51-0014090.

Plan Number

The BeneFlex Vacation Buying Plan is part of the BeneFlex Flexible Benefit Plan number 513.

Plan Year

The Plan Year is January 1 through December 31.

Source of Benefits Funding

The benefit is purchased by payroll deductions of the employees who select it.

Agent for Service of Legal Process

E. I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898
Phone: 1-302-774-1000

CONTACTS

For Questions Regarding Eligibility or Enrollment

DuPont Connection
P.O. Box 1407
Lincolnshire, IL 60069-1407
Phone: 1-800-775-5955
<http://resources.hewitt.com/dupont>
or your Site Human Resources representative.

To Cash Out Unused Purchased Vacation Hours

DuPont Connection
P.O. Box 1407
Lincolnshire, IL 60069-1407
Phone: 1-800-775-5955
<http://resources.hewitt.com/dupont>

To Appeal a Claim for Purchased Vacation

DuPont Connection
P.O. Box 1407
Lincolnshire, IL 60069-1407
Phone: 1-800-775-5955
<http://resources.hewitt.com/dupont>

DICTIONARY TERMS

The following terms are highlighted throughout the SPDs. In this section, you will find the definitions for these terms to help clarify their meaning and to provide information to better help you understand the provisions of your benefit Plan.

Appeal

A request for reconsideration of a denied claim. Either the Claims Administrator or the Plan Administrator reviews the appeal and decides if the claim's previous denial should be overturned. Certain appeals are governed by requirements set forth by the Employee Retirement Income Security Act of 1974 (ERISA), including how appeals are submitted and responded to, relevant time frames and responsibilities of the claimant, the Claims Administrator and the Plan Administrator.

Banked vacation

Earned vacation that you did not take in the year it was accrued but were eligible to "carry over" under provisions of the Company's Vacation Plan.

Before-tax paycheck deductions

Contributions taken from your pay before applicable federal, state and local taxes are withheld.

BeneFlex Election Change Period

The period of time each year designated by the Company when employees may generally make changes to their benefit elections.

Company

The association or organization you work for and that provides your benefit program.

Earned vacation

The amount of vacation you have accrued under the Company's Vacation Plan based on your length of service with the Company.

ERISA (Employee Retirement Income Security Act of 1974)

This federal law requires employee benefit plans to disclose information about the plan to participants and establish claims procedures.

Full-Service Employee

Any person designated by the Company as a full-time employee. Any employee who works at least 20 hours per week on a regular basis is considered a Full-Service Employee.

Normal Annual Earnings

Your regular rate of pay without considering occasional or temporary variations from normal working hours, awards under special compensation plans or payments for relocation, severance, or other special payments. Includes such things as shift differential, regular scheduled overtime and Sunday premium pay.

Plan Year

The 12-month period, or policy or fiscal year on which the Plan's records are kept. The Plan Year runs from January 1 through December 31.

Qualifying Life Event (QLE)

An event recognized by Section 125 of the Internal Revenue Code that entitles you to make a change in the benefit elections you made. No changes to Vacation Buying elections are permitted mid-year due to a Qualifying Life Event.

Summary Plan Description (SPD)

A legally required document intended to help you understand your benefits, how the Plan operates, how to file claims, and your rights and responsibilities as a Plan participant. It does not describe every feature in the Plan and it is not intended to be a full statement of the Plan documents.

Vacation cash-out

The taxable, cash reimbursement of the price paid for unused vacation hours. An active employee must elect a vacation cash-out prior to December 1 for reimbursement in the final pay in December. A terminating employee receives reimbursement for unused purchased vacation in their final pay.

