

TERMS YOU SHOULD KNOW

There are several words and phrases that have a specific meaning under the Long-Term Care Plan. This section explains those terms so that you can better understand your benefits. These terms are printed in **boldface** when they appear to let you know they are defined here.

Actively at work:

- Actually present on the job and physically able to perform all duties of your job, and
- Working the minimum scheduled hours in your work week at your regular business establishment, or at some other location to which your job requires you to travel.

Daily benefit: the maximum amount of money that you will be paid for each day you are eligible for benefits and receive a covered service.

Domestic Partner: an individual (same-gender or opposite-gender) who means each of two people in a **Domestic Partnership**. A “**Domestic Partnership**” is formed by two people, one of whom is an **Eligible Employee** or Eligible Retiree of the employer. You both must complete and file with the **Avaya Health and Benefits Decision Center** a notarized Domestic Partner Affidavit in which you both attest that you met all of the following requirements:

- Reside in the same household,
- Are age 18 or older,
- Have mental sufficiency to enter into a valid contract,
- Are not related to each other by blood,
- Are not legally married to any other person,
- Have a close and committed personal relationship with each other; intend to continue such relationship indefinitely; and have no such relationship with anyone else, and
- Have joint responsibility for each other’s welfare and financial obligations.

In addition to the aforementioned requirements, the following criteria must be satisfied if applicable:

- Have complied with any state or local registration process for domestic partners; are the same-gender, reside in a state that recognizes same-gender marriages and are

legally married under the laws of that state; or reside in a state that recognizes same-sex civil unions and have legally entered into such a civil union.

Domestic Partnership: A **Domestic Partnership** is formed by two people, one of whom is an **Eligible Employee** of the employer.

Eligible employee: a regular, active, full-time or part-time, salaried employee who works for a **Participating Company**.

Individuals who are not paid from the U.S. payroll of a **Participating Company**, who are employed by an independent company (such as an employment agency), or whose services are rendered pursuant to an agreement excluding participation in benefit plans are not eligible to participate in the Long-Term Care Plan.

Eligible family member: includes your **lawful spouse, domestic partner**, parents, parents-in-law, stepparents, stepparents-in-law, grandparents, grandparents-in-law, step-grandparents and step-grandparents-in-law.

Lawful spouse: a person who is recognized as the lawful husband or lawful wife for federal income tax purposes. An **eligible employee** residing in a state that recognizes common law marriage must satisfy the specific minimum state requirements to be married under common law.

Net credited service: your current continuous service plus all service credited under the service bridging rules (including mandatory portability, if applicable) of The Avaya Inc. Pension Plan for Salaried Employees or The Avaya Inc. Pension Plan.

Nonforfeiture coverage: an optional feature that allows you to stop making future long-term care premiums after you have been paying premiums for at least three years and your coverage ends due to cancellation or nonpayment of premiums. If you elect this option, you will be entitled to the full **daily benefit**, subject to a **total lifetime benefit** of either the total amount of premiums paid, or 30 times the daily nursing home benefit, whichever is greater. The adjusted **total lifetime benefit** is not reduced by any benefits paid.

Participating Company: Avaya Inc, and such other companies that have elected to participate in the Long-Term Care Plan, with the prior approval of Avaya Inc.

Total lifetime benefit: the total dollar amount of benefits available to you or to your **eligible family members** through the Long-Term Care Plan.