

ITWA Sonny Henline Survivor Fund Policies

Eligibility Requirements

To qualify for a financial assistance award from the ITWA Survivor Fund, the deceased must fall into one of the following categories:

- Deceased must have been working as an operator or employee performing towing and recovery duties with a motor vehicle towing company at the time of the event causing death.
- Deceased must have been working as an operator or employee performing towing and recovery duties with a motor vehicle repossession company at the time of the event causing death.
- Deceased must have been working as an operator or employee performing towing and recovery duties with a motor vehicle road service company engaged to work in the same capacity as the towing industry at the time of the event causing death.

Further, the deceased must have been on-duty or performing work directly associated with his/her position at the time of the event and working for a current Indiana Towing and Wrecker Association Member company.

Qualifying Circumstances:

- Death that occurs during the act of loading and unloading a motor vehicle, equipment, material, animal, or non-motor vehicle to be towed or moved on site;
- Death that occurs during the act of transporting a motor vehicle, equipment, material, animal, or non-motor vehicle due to the negligence of another person (i.e.) accident as a result of other persons driving under the influence, careless driving, road rage, etc.);
- Death that occurs during the commission of recovery efforts of a motor vehicle, equipment, material, animal, or non-motor vehicle. Recoveries include, but are not limited to: mountain recoveries, body of water recoveries, culverts, fields, mud, etc.;
- Death that occurs while driving en-route to or from the scene of a call (i.e. accident as a result of another person's driving under the influence, careless driving, road rage, etc.);
- Death that occurs while performing service calls (i.e. tire change, unlock, jump start, etc.)
- Homicide that occurs at the hand of a customer, robber, or passerby while engaged in a call; Homicide that occurs at the hand of a customer, robber, or passerby while at the home office;
- Death that occurs while working in a company office, or at another company operated location, during the performance of work related duties;
- Death that occurs as a result of Infectious Disease that can be proven to the satisfaction of the Survivor Fund to have been contracted during performing towing and recovery duties;
- Death that occurs during recovery or cleanup efforts of natural disasters;
- Death that occurs days, months or years after disablement or serious injury that was directly caused by performing duties while on the job performing towing and recovery duties (death must be proven to be a direct result of those injuries or disablement).

Excluded Circumstances:

- Death that is a direct result of gross negligence on the part of the Tow Operator or employee including but not limited to: driving under the influence of drugs or alcohol, negligent driving, road rage, in the commission of a felony crime, etc.; Suicide; Homicide; deaths that are not job related, including, but not limited to, domestic homicide, home robbery, etc.;

Additionally, the recipient of the death benefit must meet the following criteria:

- Must be 18 years of age or older.
- If only dependent age children are survivors, payment can be made to a trust in their name if it is established. The ITWA will have no part in establishment of these trusts.
- Must be directly related to the deceased or spouse (common law accepted where recognized) of the deceased. Proof of relationship may be required and/or next of kin affidavit.
- Recipient requests for funds must be postmarked within 90 days from the date of death.
- The person filling out the request for funds must fill out the application in its entirety and must include all forms required at the time of submission.

Only one award is permitted per death and the ITWA is not responsible for additional claims from eligible persons. A reasonable effort will be made in each case to determine eligibility of the recipient and whether there are others eligible who should receive priority. Applications will be processed on a first received, first processed basis. Order of priority for distributions will be basically interpreted as spouse, children, parents and then siblings. Lacking applications from those others, the ITWA Survivor Fund committee will vote on funds disbursement and all decisions of the committee are final. Once the vote is complete and payment has been processed, no additional claims or requests for funds associated with a reviewed event will be entertained.

Death benefit award shall be a fixed amount to be set annually at the ITWA Annual meeting and subject to funds being available. The ITWA Board of Directors shall set a minimum amount of funds in the Survivor Fund before any payments may be made. If available funds fall below an amount determined by the ITWA Board of Directors, the amount of the benefit may be reduced..

The Survivor Fund committee shall have the right to review any and all exceptions to these guidelines on an individual basis.

The approval process for Survivor Fund applications will include the distribution of the submitted materials to the full committee by the ITWA Executive director which will start a 48-hour clock for each committee member to vote 'Yes', 'No' or 'Review'. If all members of the committee vote prior to the 48-hour clock expiration, the majority vote will carry unless prior to the expiration of the 48 hours three members of the committee vote 'Review'. Should three votes of 'Review' occur at any time prior to the end of the 48-hour voting period, the matter will be moved to a review process for full committee review as a group. A call will be scheduled and the majority of the committee members must be present to have a discussion to resolve the matter in Review, including at least two of the persons who voted 'Review' in the original round of voting. Once the 48-hour voting clock expires, if a majority of the committee has voted either 'Yes' or 'No', the vote shall carry and funds disbursement will be settled with that vote count. If

there is no committee majority at the end of 48 hours, the voting process will end when a single answer of 'Yes' or 'No' carries the majority of votes based on the overall size of the committee.

The ITWA Survivor Fund will consist of President, VP – North, VP - Central, VP - South, Treasurer, Secretary, and Chairman of the Board.

Based on the 2019 annual Meeting, the Board voted that the benefit would be \$2,500 (subject to available funds) and for circumstances that occur starting January 1, 2020.