

Empower Courtesy Pay Disclosure

Empower Federal Credit Union (Empower) is not obligated to pay any item presented for payment if your account does not contain fully-paid and collected sufficient funds, or if there is no available line of credit established in the credit agreement. However, if you meet the criteria listed below, and have agreed to have your debit card transactions covered by this program, Empower may approve your reasonable overdrafts as a non-contracted courtesy.

You will be eligible for Empower Courtesy Pay if all of the following are true:

- (1) the member is in good standing (defined as someone who has not caused the credit union a loss);
- (2) the membership has been open for at least thirty (30) days;
- (3) there are no legal or administrative orders or levies on the account;
- (4) the account is not for a business or organization;
- (5) the member does not have a (any) delinquent loan(s) with the Credit Union;
- (6) the member is not a party in a bankruptcy proceeding; (7) there is no apparent improper activity on the account;
- (8) the member is eighteen (18) years of age or older.

Accounts are subject to a Courtesy Pay limit of \$500.00 (five hundred dollars), which is approved by the Board of Directors. If you maintain the account in good standing and have need for this 'courtesy,' we may, at our sole discretion, pay overdrafts up to the established Courtesy Pay limit, including our normal Courtesy Pay fee(s) as set forth in the Empower Fee Schedule. Whether we pay or return a check or ACH debit item, your account will be assessed a fee, either a Courtesy Pay fee or a Non-Sufficient Funds fee, but you will not be charged both fees. If we pay a debit card transaction or ATM withdrawal, your account will be assessed a fee, but if we decline the debit card transaction or ATM withdrawal, we will not charge your account a fee. The amount of any overdraft, plus our Courtesy Pay fees, shall be due and payable within thirty (30) days of the account becoming overdrawn. You are obligated to reimburse Empower and required to deposit sufficient funds to cover the overdrawn check or ACH debit, ATM withdrawal or debit card transaction paid by Empower and the Courtesy Pay fees, either through direct deposit, transfer of funds, or regular deposit. If the account is not brought to a zero or positive balance within forty five (45) days, the account will be closed, reported to ChexSystems, and may be referred to Collections. Overdrafts above and beyond the established Courtesy Pay limit will result in the debit card or ATM transaction being declined, or the check/ACH debit being returned to the payee. If you receive a direct deposit of your monthly Social Security payment into your share draft account and do not want Courtesy Pay eligibility, you must advise us by calling 315.477.2200 or 800.462.5000, option 2. Empower may refuse to pay an overdraft for you at any time, even though we have previously paid overdrafts for you and even though this Courtesy Pay program exists. Empower has no obligation to notify you before we pay or decline/return any item. If there is an overdraft paid by Empower on an account with more than one owner on the signature card, each owner and agent, if applicable, shall be jointly and severally liable for such overdrafts plus any Courtesy Pay fees. Empower Courtesy Pay will not be available to you for checks presented for cashing at the teller window.

It is the policy of Empower Federal Credit Union to comply with applicable laws and regulations, and to conduct business in accordance with applicable safety and soundness standards. The Empower Courtesy Pay service does not constitute an actual or implied agreement between you and the Credit Union. Nor, does it constitute an actual or implied obligation of, or by, the Credit Union. This represents a purely discretionary courtesy or privilege that the Credit Union may provide from time to time, and which may be withdrawn or withheld by us at any time, without prior notice, reason, or cause. Empower always may refuse to pay any overdraft for you at any time.

(Updated 5/10; updated 8/3/2015, updated 8/18)