

# LOCAL

# 282



## **Job Training Trust Fund Summary Plan Description**

**Effective March 1, 2016**



Local 282 Job Training Trust Fund  
Summary Plan Description

Effective March 1, 2016

## **LOCAL 282 JOB TRAINING TRUST FUND**

2500 Marcus Avenue  
Lake Success, NY 11042  
(516) 488-2822

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Lake Success, NY 11042

**Fund Manager**

Mario Bulding

**Fund Co-Counsel**

Cohen, Weiss and Simon LLP

Trivella & Forte LLP

**Certified Public Accountants**

Gould, Kobrick & Schlapp, P.C.

January 26, 2016

**Dear Participant:**

We are pleased to present you with this descriptive booklet about the benefits offered by the Local 282 Job Training Trust Fund (the “Job Training Fund” or the “Fund”). This booklet, called the “summary plan description”, summarizes the key features of the Job Training Fund. It also constitutes the Job Training Fund’s plan document. It should be read carefully and retained for future reference.

This Plan is administered by a Board of Trustees, consisting of an equal number of Union representatives and Employer representatives.

Benefits are provided from the Fund’s assets which are accumulated under the provisions of the Collective Bargaining Agreements and the Trust Agreement and held in a Trust Fund for the purpose of providing benefits to covered participants and defraying reasonable administrative expenses.

If you have any questions about this booklet or concerning your job training benefits, please do not hesitate to contact the Fund Office.

Sincerely,

BOARD OF TRUSTEES

Este folleto contiene un resumen en Español de sus derechos y beneficios en el plan bajo la Local 282 Job Training Trust Fund. Si usted tiene dificultad en entender alguna parte de este folleto, comuníquese con Mario Bulding en la oficina del Fonda de Salud, 2500 Marcus Avenue, Lake Success, New York 11042, (516) 488-2822, desde las 9:00a.m. hasta las 4:30p.m.

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## **A. PURPOSE**

This program is another way that Local 282, I.B.T. (the “Union” or “Local 282”) and Contributing Employers express their abiding interest in you and in furthering the public interest by making available, assisting and encouraging job training to eligible employees to the extent reasonably possible.

## **B. ELIGIBILITY**

The Job Training Program shall be made available to all eligible employees, with preference accorded to those employees who have worked in Covered Employment 45 days or more in the 12-month period preceding enrollment. All other employees shall be eligible for job training on a first-come, first-serve basis.

1. An eligible employee or a Participant is defined as any employee or applicant referred to the Job Training Fund by a Contributing Employer for the purpose of job training.
2. A Contributing Employer is any employer who has entered into a collective bargaining agreement with Local 282 that requires contributions to the Job Training Fund.
3. Covered Employment includes all classifications covered by a collective bargaining agreement with Local 282 that requires contributions to the Job Training Fund.

## **C. BENEFITS PROVIDED**

The Job Training Program shall provide assistance to eligible employees to further proficiency in driver training and ensure compliance with federal, state or local licensing requirements. Under the Program, the Fund may purchase or lease equipment, provide staffing and teaching aids and further effectuate the purposes provided for herein. The Fund currently offers courses in hazardous materials, CDL training, forklift training, defensive driving, concrete certification, OSHA, NCCCO knuckle boom certification and site security. The courses offered are subject to change.

## **D. RIGHT TO AMEND, MODIFY OR DISCONTINUE**

The Board of Trustees reserves the right to amend, modify or discontinue (without prior notice to you) all or part of the Job Training Trust Fund whenever, in its judgment, conditions so warrant. The Trustees have the authority and discretion to interpret the plan of benefits and make final determinations regarding them. No benefits are guaranteed.

## **E. CLAIMS AND APPEALS**

In order to apply for job training benefits, you simply need to call the Fund Office and ask to speak to the Job Training Department. Once the Job Training Department determines that you satisfy the eligibility conditions specified above, you will be advised of the date of the next available course.

A decision on your request to take a particular job training course will be made within 90 days from the date that you call the Fund Office (or, in most cases, within a few days of your phone call), unless it is determined that special circumstances require an extension of time for consideration of the claim, not to exceed an additional 90 days. If such an extension is required, written notice of the extension will be furnished to you prior to expiration of the initial 90-day period. The notice of extension shall include the special circumstances requiring the extension of time and the date by which the Fund Office expects to make a determination with respect to the claim. If the extension is required on account of your failure to submit information necessary to decide the claim, the period for making the determination will be tolled from the date on which the extension notice is sent to you until the date on which you respond to the Fund Office's request for more information.

If the Job Training Department denies your claim, in whole or in part, you will be provided with written notice of the determination. The notice shall include (i) the specific reason(s) for the adverse benefit determination, with reference to the specific Plan provisions on which the determination is based, (ii) a description of any additional material or information necessary for you to perfect the claim (including an explanation as to why such material or information is necessary), (iii) a description of the Job Training Fund's appeal procedures and the applicable time limits, and (iv) a statement of your right to bring a civil action under the Employee Retirement Income Security Act of 1974, as amended ("ERISA") following an adverse benefit determination on appeal.

If the Job Training Department denies your claim for benefits, you, or your authorized representative, may appeal the denial of the claim to the Board of Trustees. Your appeal must be in writing and must be sent to the Trustees within 60 days after receipt of the notice of denial of your claim. In connection with the appeal, you or your authorized representative may submit written comments, documents, records, and other information relating to your claim. In addition, you will be provided, upon written request and free of charge, with reasonable access to and copies of all documents, records, and other information relevant to your claim. You may also submit information, documents, records and comments in writing. The Trustees will give your claim a full and fair review, which will take into account all comments, documents, records and other information submitted by you in support of your claim, without regard to whether such information was submitted or considered in the initial benefit determination.

The Trustees will make a decision on your appeal by the date of the meeting of the Board of Trustees that immediately follows receipt of your appeal, unless your appeal is filed within 30 days preceding the date of such meeting. In such case, a decision will be made by no later than the date of the second meeting following receipt of your appeal. If special circumstances require a further extension of time for processing, a decision shall be made not later than the third meeting of the Board of Trustees following receipt of your appeal. If such an extension of time for review is required because of special circumstances, the Fund Office shall provide you with written notice of the extension, describing the special circumstances and the date as of which the decision will be made, prior to the commencement of the extension. You will be notified in writing of the decision on appeal as soon as possible, but no later than 5 days after the decision on appeal is made. If your appeal is denied, in whole or in part, the notice shall include: (i) the specific reason(s) for the adverse benefit determination, with reference to the specific Plan provisions on which the determination is based, (ii) a statement that you are entitled to receive, upon request and free of charge, reasonable access to and copies of all documents, records and other information relevant to the claim, and (iii) a statement of your right to bring a civil action under ERISA. The Trustees' decision on appeal shall be final and binding on all parties.

## **F. YOUR RIGHTS UNDER ERISA**

As a Participant in the Job Training Fund, you are entitled to certain rights and protections under ERISA. ERISA provides that all Plan Participants shall be entitled to:

### ***Receive Information About Your Plan and Benefits***

- Examine, without charge, at the Fund Office and at other specified locations, such as work locations and union halls, all documents governing the Plan, including Collective Bargaining Agreements and a copy of the latest annual report (Form 5500 Series) 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, upon written request to the Plan Administrator, copies of documents governing the operation of the Plan, including Collective Bargaining Agreements and copies of the latest annual report (Form 5500 Series) and an updated summary plan description. The Plan Administrator may make a reasonable charge for the copies.
- Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each Participant with a copy of this summary annual report.

## ***Prudent Actions by Plan Fiduciaries***

In addition to establishing rights for Plan Participants, ERISA imposes duties upon the people who are responsible for the operation of employee benefit plans. The people who operate your Plan, called “fiduciaries” of the Plan, have a duty to do so prudently and in the 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.

## ***Enforce Your Rights***

If your claim for a job training benefit is denied or ignored, in whole or in part, you have the 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 steps you can take to enforce the above rights. For instance, if you request a copy of Plan documents or the latest annual report from the Plan, and do not receive them within 30 days, you may file suit in a 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 to which you are entitled, unless the materials were not sent because of reasons beyond the control of the Administrator.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or Federal court. If it should happen that 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 a 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 have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous.

## ***Assistance with Your Questions***

If you have any questions about your Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in obtaining documents from the Plan Administrator, you should contact the nearest office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your telephone directory, or 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.

## **G. FUND ADMINISTRATION**

<b>Official Plan Name</b>	Local 282 Job Training Trust Fund
<b>Taxpayer Identification Number (EIN)</b>	11-6399999
<b>Plan Number</b>	04
<b>Plan Year</b>	March 1 through February 28
<b>Type of Plan</b>	Welfare benefit plan providing job training benefits
<b>Effective Date</b>	The Plan became effective on July 1, 1990.
<b>Plan Funding</b>	All contributions to the Plan are made by Employers in accordance with Collective Bargaining Agreements requiring Employers to contribute to the Fund. Benefits are provided from the Fund's assets, which are accumulated under the provisions of the Collective Bargaining Agreements and the Trust Agreement.
<b>Trust</b>	Assets are held in a trust fund for the purpose of providing benefits to covered Participants and paying reasonable administrative expenses.
<b>Plan Sponsor &amp; Administrator</b>	<p>The Job Training Fund is sponsored and administered by a joint Board of Trustees composed of an equal number of Union trustees and Employer trustees. Their names and addresses appear at the front of this booklet. The office of the Board of Trustees is:</p> <p>Local 282 Job Training Trust Fund 2500 Marcus Avenue Lake Success, New York 11042 Phone: 1-516-488-2822</p>

**Contributing Employers**

The Job Training Fund will provide you, upon written request, with information as to whether a particular Employer is contributing to the Plan on behalf of employees, as well as the address of such Employer. Additionally, a complete list of Employers and the union local sponsoring the Plan may be obtained upon written request to the Fund Office and is available for examination at the Fund Office.

**Agent for Service of  
Legal Process**

Service of legal process may be made upon a Plan Trustee, or Plan Administrator at the address listed above



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(631) 382-4968

