

# NECA-IBEW Welfare Trust Fund

## Description of Participation Options

| Type of Employee  | Type of Agreement  | Contribution Method  | Covered Employees  |
|---|--|--|--|
| <b>Bargaining Unit Employees</b>  | CBA with usual and customary contribution language is required.  | Hours worked.**  | All Bargaining Unit Employees specified by the CBA (excluding only those classifications specified, if any). |
| <b>Working Owners</b> Performing Bargaining Unit Work Covered by Collective Bargaining Agreement and the Collective Bargaining Agreement has an explicit provision requiring contributions for <b>Working Owners</b> .                  | CBA is acceptable <b>as long as</b> it has explicit provision permitting the owner to perform bargaining unit work.  | Hours worked.**  | All Bargaining Unit Employees and Working Owners performing bargaining unit work as described by the CBA.    |
| <b>Working Owners</b> Performing Bargaining Unit Work Covered by Collective Bargaining Agreement and the Collective Bargaining Agreement <b>DOES NOT</b> have an explicit provision requiring contributions for <b>Working Owners</b> . | [Former Bargaining Unit] Alumni/Working Owner Participation Agreement <b>must</b> be signed.   | Hours worked.**  | All Alumni/Working Owners as defined in the Participation Agreement.*  |
| <b>[Former Bargaining Unit] Alumni Employees</b>  | [Former Bargaining Unit] Alumni/Working Owner Participation Agreement <b>must</b> be signed.   | Hours worked.**  | All Alumni/Working Owners as defined in the Participation Agreement.*  |
| <b>Non-Bargaining Unit Employees</b>  | Non-Bargaining Unit Participation Agreement – <b>Health Plan Only</b><br><br><u>or</u><br>Non-Bargaining Unit Participation Agreement – <b>Health Plan and HRA must</b> be signed. | 160 Hours Per Month, plus HRA Contribution specified in work area CBA, if elected. | All Non-Bargaining Unit Employees covered by the Participation Agreement.*                                   |

\* Participation is on an “All or None” basis (e.g., all Alumni/Working Owners and/or all Non-Bargaining Unit Employees must participate or no Alumni/Working Owners and/or all Non-Bargaining Unit Employees may participate).

\*\* If a collective bargaining agreement requires an Employer to remit hours at a fixed amount (e.g., 40 hours per week and/or 160 hours per month) for employees who are also covered by the Alumni/Working Owner Participation Agreement, then the Employer shall be obligated to remit the greater of (i) 160 hours per month or (ii) the fixed amount specified in the applicable collective bargaining agreement.

<sup>1</sup> As defined in the Alumni/Working Owner Participation Agreement, a **Working Owner** is any Employee who (i) is an officer of the Employer or a shareholder who has an ownership interest in the Employer or whose spouse has an ownership interest in the Employer, and (ii) who is currently performing services for the Employer for compensation and he is performing work of the type regularly performed by employees covered by the Employer's collective bargaining agreement with the applicable Local Union affiliated with the International Brotherhood of Electrical Workers. An employee who owns less than 5% of the Employer, or (ii) owns an interest in an Employer through an Employee Stock Ownership Plan ("ESOP"), and whose spouse does not have an ownership interest in the Employer shall not be considered a Working Owner Employee as long as the employee is represented by the applicable Local Union for collective bargaining purposes and the employee performs work of the type regularly performed by employees covered by the Employer's collective bargaining agreement with the applicable Local Union affiliated with the International Brotherhood of Electrical Workers.

<sup>2</sup> As defined in the Alumni/Working Owner Participation Agreement, a **Bargaining Unit Alumni Employee** is an employee who previously participated in the Fund by performing covered work under a collective bargaining agreement maintained by a Local Union affiliated with the International Brotherhood of Electrical Workers but who is no longer performing work covered by and described in the applicable collective bargaining agreement.

<sup>3</sup> As defined in the Non-Bargaining Unit Participation Agreement, a **Non-Bargaining Unit Employee** is a full-time and regular part-time employee, who is not covered by a collective bargaining agreement, that regularly works more than twenty (20) hours cumulatively per week, in order to provide health and welfare benefits as therein provided. A NBU Employee shall also include any employee who is considered a full-time employee under applicable federal law(s) that require the Employer to maintain health and welfare benefits, including, for example, any employee who is employed on average for at least thirty (30) hours of service per week (or one hundred thirty (130) hours of service in a calendar month) as defined by Section 1513 of the Affordable Care Act (26 U.S.C. §4980H) and regulations promulgated thereunder.