

**WESTERN WASHINGTON LABORERS-EMPLOYERS PENSION TRUST
WASHINGTON-IDAHO LABORERS-EMPLOYERS PENSION TRUST
NORTHWEST LABORERS-EMPLOYERS HEALTH AND SECURITY TRUST**

**Checklist for Participation of Non-Bargaining Unit (“Associate”) Employees
Of Signatory Employers –
Bargaining Alumni Category**

To cover non-bargaining (“Associate”) employees in the Western Washington Laborers-Employers Pension Trust (“Western Washington Pension Trust”) or the Washington-Idaho Laborers-Employers Pension Trust (“Washington-Idaho Pension Trust”) and the Northwest Laborers-Employers Health and Security Trust (“Health Trust”), an employer must satisfy the following requirements:

- i) **Full Compliance Agreement.** The employer must be signatory to a full compliance collective bargaining agreement that requires contributions to the Trusts on behalf of the employer’s bargaining unit employees.
- ii) **Employer Must Be Working in Industry.** The employer must be actively engaged in the construction industry, or other industry of the type engaged in by employers that are signatory to a collective bargaining agreement with the Washington and Northern Idaho District Council of Laborers or its affiliated local unions. An employer is not considered actively engaged in the industry, if hours are not reported to the Trusts on behalf of bargaining unit employees for two consecutive calendar quarters. An employer may also not be considered actively engaged in the industry, if based upon the facts and circumstances, the Trustees determine that the employer is not actively employing bargaining unit employees.
- iii) **Written Agreement with Trust Required.** The employer must sign a Contribution Agreement approved by the applicable Trustees. Associates must be employed by the signatory employer.
- iv) **Pension Trust Eligibility.**
 - *Western Washington Pension Trust:* Associates must be vested in the Pension Trust based upon hours worked as a bargaining unit employee prior to becoming an Associate.
 - *Washington-Idaho Pension Trust:* Associates must be vested in the Pension Trust based upon hours worked as a bargaining unit employee prior to becoming an Associate.
- v) **Owners/Officers.** Owners and officers who are employees and satisfy the eligibility rules may participate, provided the employer is a corporation, or an LLC electing to be treated as a corporation on Treasury Form 8832. Sole proprietors and partners are not eligible. Spouses of owners are considered non-bargaining employees and must be covered under a written Contribution Agreement. (Working owners may be eligible to participate under separate rules that apply solely to working owners.)
- vi) **Coverage in All Trusts Required.** The employer must cover Associates in the Western Washington Pension Trust or Washington-Idaho Pension Trust, and the Health Trust and the Northwest Laborers-Employers Training Trust.
- vii) **Addition of Non-Bargaining Employees.** The employer is not required to cover all non-bargaining employees. Employees may only be added as Associates prior to renewal of the employer’s collective bargaining agreement if: (1) they are new employees of the employer or move from a bargaining unit position to a non-bargaining position; (2) the employee is enrolled within 30 days of the date of hire or moving from a bargaining to a non-bargaining position; and (3) the employee is eligible to become an Associate.
- viii) **Termination of Associate Employees.** The employer may delete an enrolled employee as an Associate. Following deletion, the Associate may not be reenrolled for the duration of the employer’s collective bargaining agreement (unless the employee is moving between a bargaining and non-bargaining

ix) **Rate.** The contribution rate is that set by the employer's bargaining agreement. Contributions are paid for all hours worked. If the Associate is salaried, contributions are paid on 173 hours per month. If the employer has a bargaining agreement providing for a flat rate to the Health Trust, the employer pays the flat rate for Associates to the Health Trust, but there is no hour bank accrual.

x) **Authority to Answer Questions.** This is a summary of the rules. Only the Trust Administration Office has authority to answer questions on behalf of the Trustees regarding Associate participation. No employer or local union, nor any representative of an employer or local union, is authorized to act for the Trustees.