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**ELECTRICAL WORKERS LOCAL NO. 292  
VACATION AND HOLIDAY PLAN**

**PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION**

**JANUARY 2019**

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**ELECTRICAL WORKERS LOCAL NO. 292 VACATION AND HOLIDAY PLAN**

6900 WEDGWOOD ROAD NORTH, SUITE 425, MAPLE GROVE, MN 55311

(763) 493-8830 OR (800) 368-9045

FAX (763) 416-6196

To All Participants:

As Trustees of the Electrical Workers Local No. 292 Vacation and Holiday Plan (the "Plan"), we are pleased to provide you with this Plan Document and Summary Plan Description ("SPD"), which is effective January 1, 2019.

This SPD is intended to give you a summary of the important features of the Plan. We encourage you to read this SPD carefully and keep it with your important papers for future reference.

The Plan is jointly sponsored by the Minneapolis Chapter, National Electrical Contractors Association, Inc. ("NECA") and the International Brotherhood of Electrical Workers, Local Union No. 292, AFL-CIO.

The only people authorized to answer questions concerning the Plan are the Board of Trustees and the Benefits Office staff. If you have any questions about the Plan, contact the Benefits Office at (763) 493-8830 or (800) 368-9045 or by writing to:

IBEW Local 292 Benefits Office  
6900 Wedgwood Road North, Suite 425  
Maple Grove, MN 55311

Sincerely,

Board of Trustees

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**THE BOARD OF TRUSTEES  
of the  
ELECTRICAL WORKERS LOCAL NO. 292  
VACATION AND HOLIDAY PLAN**

**Management Trustees:**

Ms. Laura Karow  
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14850 Martin Drive  
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Mr. Paul Kosmides  
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Mr. David Manderson  
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1660 Highway 100 South, Suite 334  
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**Union Trustees:**

Mr. Dan Ferguson  
IBEW Local 292  
312 Central Avenue, Suite 292  
Minneapolis, MN 55414

Mr. David Frary  
IBEW Local 292  
3101 Idaho Avenue North  
Crystal, MN 55347

Mr. Peter Lindahl  
IBEW Local 292  
312 Central Avenue, Suite 292  
Minneapolis, MN 55414

\*Service of legal process may be made on any Trustee.

**Plan Administrator:**

Ms. Jody Roe  
IBEW Local 292 Benefits Office  
6900 Wedgwood Road North, Suite 425  
Maple Grove, MN 55311

**Plan Counsel:**

Ms. Cindy L. Davis  
Kutak Rock, LLP  
60 South Sixth Street, Suite 3400  
Minneapolis, MN 55402

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## **PLAN OPERATION**

### **Participation**

You become a Participant in the Plan when your Employer begins to make contributions to the Plan on your behalf under the terms of any applicable collective bargaining agreement.

### **Funding**

The Plan is funded by Employer Contributions. Each month your Employer is required to contribute to the Plan on your behalf a percentage of your gross wages as set by the collective bargaining agreement. Employer Contributions are the sole source of funding for this Plan.

### **Your Individual Account**

When you become a Participant in the Plan, a noninterest-bearing account is opened in your name at the Electrus Federal Credit Union as the depository for contributions made to the Plan on your behalf. At your option, you may contact the Plan Administrator and request an account with the Minnesota Building Trades Federal Credit Union to act as the depository for contributions made to the Plan on your behalf.

Your account is noninterest-bearing because credit unions are prohibited by law from paying interest to nonmembers. You may convert your account to an interest-bearing account by becoming a member of the Credit Union you have chosen as your depository.

You may withdraw the funds held in your account at any time, without regard to whether you are planning to take a vacation at the time that you withdraw the funds.

### **Taxation of Your Contributions and Account**

Contributions to the Plan are considered to be wages and, for that reason, are subject to federal and state income tax withholding and social security taxes each payroll period. Interest credited to your individual account is also taxable.

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## **VACATION AND HOLIDAY POLICY**

Please refer to your collective bargaining agreement for information and rules on the amount of vacation you may take each year and the conditions related to vacations and holidays.

If you have any questions regarding the operation of the Plan, contact the Plan Administrator's office at (763) 493-8830 or (800) 368-9045.

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## PLAN INFORMATION

### Plan Name

The name of the Plan is the Electrical Workers Local No. 292 Vacation and Holiday Plan.

### EIN/Plan Number

41-1701466/501

### Type of Plan

This Plan is known as an employee vacation and holiday plan.

### Type of Administration

The Plan is administered by the Board of Trustees. You may contact the Trustees at:

IBEW Local 292 Benefits Office  
6900 Wedgwood Road North, Suite 425  
Maple Grove, MN 55311  
(763) 493-8830 or (800) 368-9045

### Service of Legal Process

Service of legal process may be made upon any of the Trustees.

### Union and Association

The names and address of the Union and the Association are:

IBEW Local 292  
Labor Center  
312 Central Avenue SE, Suite 292  
Minneapolis, MN 55414

Minneapolis Chapter, NECA  
1660 Highway 100 South, Suite 334  
St. Louis Park, MN 55416

### Plan Year

The Plan year is a twelve (12) month period beginning May 1 of each year and ending April 30 of the next year.

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## **Contributing Employers**

The Plan receives contributions from Employers that have entered into a collective bargaining agreement with the Union, or a participation agreement with the Plan that is accepted by the Trustees, that requires the Employer to contribute to the Plan. The amounts of those contributions are calculated according to the relevant terms of the collective bargaining agreement or participation agreement, as applicable.

Not all Employers contribute to the Plan. For example, Employers that are signatory to the Minnesota Limited Energy Agreement do not contribute for work performed in the jurisdiction of that Agreement.

The names of the Employers contributing to the Plan are available to Participants and their beneficiaries at any time by simply writing to the Plan Administrator.

## **Collective Bargaining Agreement**

Copies of collective bargaining agreements may be obtained upon written request and are available for review in the office of the Association and the Union.

## **Plan Assets and Management**

The Plan's assets are held and administered in a depository institution selected by the Board of Trustees. The Board of Trustees is responsible for the Plan's operation and administration.

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## **YOUR RIGHTS UNDER ERISA**

As a Participant in the Electrical Workers Local No. 292 Vacation and Holiday Plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (“ERISA”). ERISA provides that all Plan Participants are entitled to all of the provisions listed below:

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

You are entitled to examine, without charge, at the Plan Administrator’s office and at other specified locations, such as worksites and Union halls, all documents governing the Plan, including insurance contracts and 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.

You are entitled to obtain, upon written request to the Plan Administrator, copies of documents governing the operation of the Plan, including insurance contracts and Collective Bargaining Agreements, 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.

You are entitled to 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 creating rights for Plan participants, ERISA imposes duties upon people who are responsible for the operation of the employee benefit plan. 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 individual, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit from the Plan or exercising your rights under ERISA.

### **Enforce Your Rights**

If your claim for a vacation 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 a Plan Document or the latest annual report from the Plan and do not receive them within thirty (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 to pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator. If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in Federal Court.

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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 a suit in Federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the individual you have sued to pay those costs and fees. If you lose, the court may order you to pay those 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 Plan of Benefits or about your rights under ERISA or if you need assistance 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.