

ELIGIBILITY RULES

AND

REQUIREMENTS

FOR

U.A. Local 38
Group Supplemental
Unemployment Benefits

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FOR

U.A. LOCAL 38 GROUP SUPPLEMENTAL UNEMPLOYMENT BENEFITS

A. RULES FOR ELIGIBILITY:

1. The member must be a **current active member** (“the member”) in U.A. Local Union 38 and not be working contrary to the U.A. Local 38 Collective Bargaining Agreement, requiring U.A. Local 38 Group Supplemental Unemployment Benefits Group SUB Trust Fund employer contributions, or in violation of U.A. Local Union 38 by-laws or the United Association Constitution.
2. A member must first establish initial eligibility to receive Group SUB benefits. Initial eligibility is established by the member having been employed by an employing contractor signatory to a U.A. Local 38 Collective Bargaining Agreement requiring contributions to be made to the Group Supplemental Unemployment Benefit Trust Fund (“Group SUB”) and having at least 2000 reported hours during the four (4) years preceding the member’s initial application for Group SUB benefits. The aforesaid hours **exclude** any and all hours reported for the member’s 1st period apprenticeship employment through and including the member’s 4th period apprenticeship employment. Verification of the required 2000 hours are taken from the Trust Fund’s Member Work Summary Report.
3. After the member has established initial eligibility and has received Group SUB benefits for the 24-week period discussed in Section B. below, the member must re-establish eligibility to receive additional Group SUB benefits, by having an additional 750 reported hours. After doing so, the member is entitled to receive Group SUB benefits for an additional 24-week period, subject to Section C. below.
4. The member must have signed the Out-of-Work list maintained in either the U.A. Local 38 Dispatch office located at 1621 Market Street, San Francisco, CA and/or the Santa Rosa office located at 3473 Santa Rosa Avenue, Santa Rosa, CA and be available for work for the one (1) week required waiting period prior to the commencement of the 24 week benefit period.
5. The member must not decline employment in his/her classification during the one week waiting period and/or the aforesaid 24-week period, excepting for a short-call job.

6. The member must not be on vacation or disability, on pension unable to return to the U.A. Local 38 jurisdiction within 24 hours during the period he/she is receiving Group SUB benefits.

B. PERIOD OF ELIGIBILITY

1. Once a member has established either initial eligibility or has re-established eligibility, as described above, the member may receive weekly Group SUB benefits for a total of 24 weeks after a one (1) week waiting period, as discussed in Section C below.
2. Should the member receive only a portion of the aforesaid 24 weeks and then return to employment, and thereafter become unemployed, the member is entitled to receive Group SUB benefits for the remainder of the aforesaid 24 weeks.

C. REQUIREMENTS FOR APPROVAL OF APPLICATION FOR GROUP SUB BENEFITS

1. Member must file an application with the Trust Fund Administration office (see attached application for benefits).
2. Member must certify that he/she has applied for unemployment benefits from the State of California, Employment Development Department ("EDD") and been qualified to receive unemployment benefits.
3. Member must provide the Trust Fund Administration office with the initial EDD One Week Waiting Period Statement (see sample copy attached hereto).
4. The initial EDD One-Week Waiting Period Statement will be used as the Plan's required one (1) week waiting period prior to the member receiving his/her initial Group SUB benefit payment.
5. If the member does not have the initial EDD One-Week Waiting Period Statement, to be used as the one (1) week waiting period requirement, the member may do one of the following:
 - a. Order an EDD Payment History Report to show the aforesaid waiting period, or
 - b. Use the Plan's first (1st) week's payment as the required waiting period.
6. Should the member return to employment for a signatory employer to the U.A. Local 38 Collective Bargaining Agreement, Group SUB benefits will not be payable.

- a. If the member returns to work prior to exhausting the aforesaid 24-week period, the member can reapply for Group SUB benefits after completing Steps 1 thru 4 above.
- b. Upon approval of the member's reapplication for Group SUB benefits, the member can receive the remaining Group SUB benefits until the 24- week period is exhausted.

D. GENERAL RULES FOR GROUP SUB BENEFITS:

1. The Plan will not consider any member's claim for Group SUB benefits that exceed a period of six (6) months.
2. Any unused portion of a member's 24-week period described herein shall expire after eighteen (18) months.
3. Group SUB benefits are paid through the Trust Fund Administration office on Tuesdays and Thursdays after 12:00 p.m.
4. Members are issued a W-2 for all Group SUB benefits received in any applicable calendar year.
5. Individual records are maintained in the Trust Fund Administration offices for each member applying for and receiving Group SUB benefits.
6. In the event that through error or inadvertence a member receives benefits that should not have been paid, the member is to return the amount of overpayment to the Fund. Failure to do so, shall disqualify the member from receiving any further future benefits until said time as the repayment is complete.

02-02-13

/ WEEK PAID

02-11-12

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NO BENEFITS ARE PAYABLE BECAUSE THE WEEK ENDING 02-11-12 WAS USED AS A WAITING PERIOD WEEK. UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING CHOICE ON EACH CLAIM FORM YOU SUBMIT.