

# INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 98 BENEFIT FUNDS

40 Hudson Drive, P.O. Box 1290, Southwick, MA 01077  
Telephone: (413) 998-3230 • Fax: (413) 998-3249

HEALTH & WELFARE FUND  
PENSION FUND  
ANNUITY FUND  
J L M-COOPERATIVE TRUST



KARA A. RICHOTTE  
Fund Administrator



## I.U.O.E. LOCAL 98 COOPERATIVE TRUST GUIDELINES

1. Please fill out the Joint Labor-Management Cooperative Trust Application Form paying particular attention to the list of Competitors and the Total hours of Work for Operators. Please indicate if this is a second request due to a delayed bid, or a rebid and attach the original request.
2. The Cooperative Trust will be applied only to members of Local 98, and those participants identified by the Union Office as approved work permit operators, excluding pensioners. Operating Engineers from other Local Unions, cleared to work within our jurisdiction cannot participate in this program.
3. To give proper consideration to your request for use of the Cooperative Trust, and to provide the Trustees sufficient time to research the job, review your application and notify other potential signatory contractors, all applications for use of the Cooperative Trust must be received by the Cooperative Trust Office, either by email to [poconnor@local98.org](mailto:poconnor@local98.org) or by fax to (413)998-3249 at least 3 business days prior to the bid date. Applications received after the deadline will not be considered.
4. It is the Employer's responsibility to notify the Trust Office in writing that a project has been won by use of the Cooperative Trust. Failure to notify the Office in a timely manner may cause the funds to be reallocated to other projects and may result in the loss of your Trust Award.
5. Successful bidders are required to notify the Cooperative Trust that they are the low bidder.
6. The Cooperative Trust shall be applied to operators employed only on the project for which it was requested and cannot be assigned to any of the Employer's other projects or to their other work locations.
  - a) The names of the operators for which the Trust is claimed must appear on the project's payroll records and must be submitted with each report.
  - b) The Company must have available contemporaneous time-slip documentation, detailing the work accomplished and the project to which the work is related.
  - c) If operators are assigned to an off-site location for more than incidental work the Company must notify the Business Representative with responsibility for the primary Cooperative Trust Project.
7. Recipients of an Award from the Joint Labor/Management Cooperative Trust recognize the Trustees' responsibility to meet certain fiduciary obligations and agree to submit to a periodic audit of their projects operating under this Jointly Trusteed program.

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8. Recipients of an Award must be current in their obligations to the various employee benefit funds. Failure to remain current shall cause the forfeiture of the Trust Award for that month. Repeated delinquencies in an Awardee's obligation to the Funds shall, after notice, use the immediate revocation of all Awards.
9. Any use of non-signatory subcontractors or non-Operating Engineers within the craft discipline of the Operating Engineers, by any contractor on any construction site receiving assistance from the Joint Labor Management Cooperative Trust, is inconsistent with the purposes of the Trust. Any contractor who subcontracts with a non-signatory subcontractor on a site being assisted by the Trust will be in violation of these guidelines and Trust assistance on that job site shall cease immediately upon confirmation of any such violation.
10. The minimum grant amount that will be considered for both original grants and transfers to sub-contractors is \$1,000.
11. Although projects are tracked and measured by hours worked, each individual Trust Award is established on bid date as a fixed dollar amount. The dollar amount of the initial Award can only be altered or amended by the Trustees.
12. Any employer wishing to allow a sub-contractor to use a portion of their grant must submit a request in writing including the number of hours they wish to have transferred from their grant to the sub-contractor and who the hours should be transferred to. Once approved by the Trustees, the original grant will be reduced by the number of hours and dollar amount to be transferred, and a new grant will be set up in the sub-contractor's name. Reporting forms will be forwarded to the sub-contractor along with a letter explaining the reporting process, the total hours, and the dollar amount of their grant. A letter will also be forwarded to the Original Contractor showing the amounts deducted from the original grant.
13. Any grant that is awarded is subject to the signatory employer continuing to be in harmony and in compliance with the applicable collective bargaining agreement. Failure to be in such compliance may result in suspension or forfeiture of any previously approved grants.
14. If there has been no grant activity, the Trust Office will contact the employer to inquire as to the status of the job which was awarded the grant. If no update is provided to the Trust Office within 10 days of the request, the grant will be closed and the funds returned to the Cooperative Trust.