

**SEIU LOCAL 2015
LONG TERM CARE WORKERS
EDUCATION AND TRAINING TRUST FUND**

PLAN DOCUMENT/DESCRIPTION

Adopted by the Board of Trustees on June 1, 2015

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I. STRUCTURE AND BACKGROUND

The SEIU Local 2015 Long Term Care Workers Education and Training Trust Fund (“Fund”) is a multi-employer employee welfare benefit plan, ERISA § 3(1), administered by the joint labor-management Board of Trustees (“Trustees”). The following constitutes the Fund’s Training and Education Benefit Plan, (“Plan”) adopted by the Trustees pursuant to Article V of the Agreement and Declaration of Trust Establishing the SEIU United Long Term Care Workers Education and Training Trust Fund (“Trust”). The Fund is an independent and neutral organization supported through employer contributions and potential grants. Employer contributions are pooled for the utilization of all bargaining unit employees. The Plan provides educational benefits to eligible employees in the long-term care industry pursuant to collective bargaining agreements entered into between SEIU Local 2015 (“Union”) and long-term care employers in California. The Plan provides for a variety of educational and training programs in a variety of formats and settings.

Background

The Trust was established in 2010 as a result of collective bargaining between Skilled Nursing Facility operators in Southern California and SEIU Local 6434 United Long Term Care Workers Union, the predecessor to SEIU Local 2015. The Trust was created to provide educational and training opportunities for bargaining unit members, including certification courses in the long-term care industry. In 2016, the Trust merged with a trust that served long-term care workers in Northern California and inherited segregated funds that are used to solely serve these facilities. The Fund currently includes long-term care employers and bargaining unit employees throughout California.

The Fund provides a wide range of educational and training benefits for both full-time and part-time workers. When a bargaining unit member enrolls in a program everyone benefits: the bargaining unit member, the employer, the Union and the general public. All programs are designed to meet the needs of the SEIU Local 2015 membership and to create opportunities for skill building and career advancement. Bargaining unit employees who enroll in this worker-centered educational and training system or its “Continuum of Learning” are given the chance to achieve personal goals while learning the tools and skills necessary for advancement in the health care field.

The Fund also provides wrap-around counseling services to help bargaining unit members choose education and career pathways, complete courses and achieve individual goals.

This document is designed to describe the programs that the Fund offers, the benefits related to the various programs, and its policies, procedures and eligibility requirements.

Questions about any of the benefits or coverage under this Plan can be directed to the Program Manager.

The Trustees reserve the right, in their sole discretion to change or discontinue benefits and/or programs at any time.

II. ABOUT THE FUND

The Fund is administered by a Board of Trustees consisting of union appointed and employer appointed trustees with equal voting power. The Trustees are responsible for collecting employer contributions and other sources of income such as grants, managing the Fund's assets and based upon annual budgets, determining which educational programs and training courses the Fund offers.

The Fund has entered into a contract with the California Long-Term Care Education Center (CLTCEC) to administer its training and educational programs and courses. CLTCEC is the Program Manager of the Trust.

Trainings are driven by bargaining unit member needs and interests as well as employer recommendations. On an annual basis, the Fund surveys the bargaining unit members and employers to gather information on needs and interests prior to making recommendations to the Trustees. As approved by the Trustees, the Program Manager decides where the courses will be held, what the requirements of the program or courses will be, how many bargaining unit employees will be accepted into each program or course, which bargaining unit employees are eligible and who will be selected to participate, and more.

The Fund may modify, limit, or discontinue any program, course or service described in this Plan. The Fund may also charge registration fees, and there may be other associated costs and fees borne by students. Bargaining unit employees should consult with the Fund staff for a current statement of programs, benefits, and costs prior to applying for any program or course.

Funding Sources

The programs, courses and services offered by the Fund are funded from various sources. Eligibility for participation in programs varies according to the type of program and the source of funding for that program. Some Fund programs are funded through collective bargaining agreements and others are funded through grants. While some of these programs may be very similar, they may have different eligibility requirements.

Collective Bargaining-Funded Programs

Contributing Employers make payments to the Fund, according to the collective bargaining agreements with the Union; the payments are usually based upon hours worked by bargaining unit employees. The contribution payments fund programs and courses only open to eligible bargaining unit employees.

Grant Funded Programs

The Fund applies, for City, State, Federal and Foundation grants to supplement collective bargaining dollars. The type and scope of any grant award will vary from year to year. Eligibility for any or all of these grants depends on the rules governing the grant and will vary from grant to grant and year to year.

Fund staff has informational materials available for each grant including all eligibility and programmatic requirements. Staff can be contacted at the Fund offices for additional information.

Fund Offices

Main Office – Los Angeles

SEIU Local 2015 Long Term Care Workers Education and Training Trust Fund
2910 Beverly Blvd.
Los Angeles, CA 90057
(213) 985 - 1715

Regional Areas

Oakland
333 Hegenberger Rd., Suite 400
Oakland, CA 94621

Long Beach
129 W. Victoria Street
Long Beach, CA 90805

San Bernardino
195. N. Arrowhead Ave.
San Bernardino, CA 92408

III. ELIGIBILITY REQUIREMENTS

General Eligibility Policy

An employee is eligible to enroll in an Education Fund program if all of the following is satisfied:

1. The contributing employer has paid at least three (3) months of contributions for all employees for whom a contribution is due and has no delinquencies longer than sixty (60) days.¹
2. The employee is a full or part-time bargaining unit member
 - a. whose employer, has paid monthly contributions to the Fund on behalf of her/him since Contribution Start Date of current Collective Bargaining Agreement
 - b. who is not on a leave of absence.
 - i. The Education Fund may allow an employee to remain enrolled in a program if the leave of absence begins sometime during the program
 - ii. Upon return to work, an employee may participate in Education Fund programs as soon as the employer sends a contribution on his/her behalf or the employee brings a letter from Human Resources department showing the start and end date of leave of absence.

Temporary/per diem employees are not eligible unless contributions have been paid to the Fund on their behalf.

Academic Eligibility Requirements

In addition to satisfying the enrollment conditions above, the Fund reserves the right to restrict enrollment in specific courses or programs to Applicants with minimum academic, computer or language proficiency requirements.

Effect of Termination or Self-Quit

An employee who quits or is terminated from employment with a contributing employer will not be allowed to enroll in any new course but may be allowed to complete any currently enrolled courses, such as the Basic Computer Course. Unless the Program Manager permits the employee to complete the program or course, the employee will be dis-enrolled in the same month of the termination.

¹ COLLECTION PROCEDURES FOR THE LONG TERM CARE WORKERS EDUCATION AND TRAINING TRUST FUND Page 1, II Definitions - 2. Delinquency Date for Payment of Contributions (“Delinquency Date”). A participating Employer shall be considered delinquent in the payment of contributions if it fails, by the fifth (5th) calendar day after the Due Date, to (a) submit a contribution reporting form, (b) pay the contributions detailed in the respective reporting form and/or (c) pay the full amount of contributions required at the then-applicable contribution rate or formula specified in the applicable Collective Bargaining Agreement or as required by law following expiration of the collective bargaining agreement or by a successor employer.

Requirement to Apply for Program Prior to Course Start Date

In order for Employees to begin or attend a course, the employee must first apply before the course start date and be accepted by the Fund to attend the program or course.

Re-Certification Courses

Employees seeking to be re-certified must apply within 60 days of the certificate expiration date.

Failure to Complete Program

Except where explicitly excused by the Program Manager, an employee who fails to complete a Fund multi-day course will be deemed ineligible to enroll in future programs for a period of three months from the last day of the course.

Temporary Ineligibility Policy

As a result of not completing all C.N.A. program requirements, a bargaining unit member may owe the Education Fund a portion of the program costs. If the member does not pay the amount owed to the Education Fund by the requested deadline, the member may be placed on temporary ineligibility and may not be able to access ANY Education Fund services according to the following Tiered Approach, based on the value of the services:

1. Tier 1: Owe at least \$100 or more – ineligible for services for 1 month
2. Tier 2: Owe at least \$200 or more - ineligible for services for 2 months
3. Tier 3: Owe at least \$300 or more - ineligible for services for 3 months
4. Tier 4: Owe at least \$400 or more - ineligible for services for 4 months
5. Tier 5: Owe at least \$500 or more - ineligible for services for 5 months
6. Tier 6: Owe at least \$600 or more - ineligible for services for 6 months

Effect of Employer Delinquency: Students whose employer becomes delinquent may remain enrolled until completion of the current training, course or program. In order to cure a delinquency, an employer must pay all amounts due, including contributions, liquidated damages and collection costs, unless the Trustees determine otherwise.

IV. APPLICATION PROCEDURES

The Fund requires that all applicants who otherwise satisfy the eligibility requirements described in Section III above, must, in addition, complete an application by the applicable deadline in order to enroll in one of the Fund's programs. Application content and deadlines vary depending upon the program. Current schedules and application deadlines are available at all Fund offices and online.

Eligibility to participate in a particular program is limited to applicants who meet the minimum academic and other requirements of the Fund for that program. Individual programs also have separate selection procedures in the event there are more applicants than openings.

During the application process, applicants may be asked to complete any of the following steps:

- Communicate with authorized Fund staff about an applicant's personal educational goals and plans.
- Complete an assessment with an authorized Fund staff and/or a counseling session with a career/academic counselor
- Submit any of the following supporting documents as requested by the Fund staff, including but not limited to:
 - Formal letter of acceptance from the degree/certificate granting-school or-institution or enrollment confirmation
 - Progress reports
 - Verified copies of school transcripts, records of education and training, test scores and/or grades
 - Verified copies of specified licenses and/or certificates
 - Proof of satisfactory preparatory training
 - Satisfactory assessments, placement tests, and/or standardized achievement tests
 - Proof of satisfactory required remediation
 - Proof of non-Fund provided scholarships, tuition assistance and financial aid
 - Itemized receipts for each cost incurred in attending a program
 - Course Syllabus

V. PROGRAMS & SERVICES

The Fund develops and implements programs and wrap-around services utilizing a functional approach that is worker-centered, experience-based, with a focus on job success.

- **Wrap-around Services**

- **Fund staff recruits** for trainings, programs, and counseling sessions mainly via in- person and/or phone interviews at the long term care facilities and/or union halls.
- **Advising and Counseling (career, academic, personal/social)**
 - The Fund counsels and advises eligible employees. Accessing these services will vary depending upon the location. Check with Fund staff representatives for detailed information.
 - The advice sessions are intended to help eligible employees select education and career goals that best match skills, interests, needs and personal circumstances.
 - The Fund staff advises eligible employees on the Fund's general admissions process, refers them to appropriate programs, courses or schools, and helps find ways to overcome obstacles that might prevent employees from achieving their goals. Fund staff advise mainly in-person and by phone. They also provide an up-to-date overview of Fund programs, benefits, procedures, and requirements. Fund staff also provides union delegates and employers with information to pass on to eligible employees.
 - Fund staff is available to meet with eligible employees individually or in small group sessions to review transcripts, make program recommendations and referrals, guide employees in researching career options, and help them become more self-directed. Such appointments are offered mainly face to face or over the phone. Fund staff also support employees in overcoming obstacles/barriers to successful outcomes, and assisting employees with the development of educational and career plans.
 - Where counseling is required, applicants meet with counselors before entering the program, and after acceptance. Where counseling is not a requirement, applicants are encouraged to make contact with the counselor assigned to that program at least twice per session.
- **Screening for and Placement in Courses/Trainings**
 - Skills Assessments and/or placement tests may be required for entrance into certain Fund programs prior to enrollment. Skills tests vary according to the program of choice and some programs require multiple tests prior to placement. Most of these tests are academic - measuring reading, writing, math, and critical thinking. Some are skills-related, and measure performance of on the job-related skills, like computer keyboarding. The purpose of the assessment/interview is to place eligible employees in the program most appropriate to goals, interests and skills.
 - Employees should check with Fund staff representatives and review individual program descriptions to see what, if any, assessments are required for a particular course program. Test requirements may change without notice.

- **Enrollment**
 - Fund staff assists eligible employees with enrollment into appropriate programs.
 - **Retention and Course Completion Support Services**
 - Fund takes a proactive approach to student retention and course completion through regular and consistent contact via phone call, texts and/or emails.
 - **Tutoring**
 - Certain programs may offer tutoring services, as determined by the Program Manager and Course Instructor.
- **Programs**
 - **Skill Building Courses**
 - Our basic skills set courses focus on the fundamentals and span a variety of topics.
 - Computer Courses provide a range of computer skills covering introductory, intermediate and advanced topics. They may be offered at various locations and times. Courses are designed to provide students with a core foundation of computer literacy.
 - English courses assist individuals whose first language is not English to strengthen their speaking, reading, listening and writing skills in English and to prepare for enrollment in other education and training programs. Courses may be offered at a number of locations and/or via mobile-based platforms. Fund staff can assist with referrals and placements.
 - **Certificate Programs**
 - The Fund offers programs for eligible workers who are pursuing certain certificates. Each of these programs is governed by specific rules and regulations.
 - Preparatory Course for High School Equivalency Certificate - The Fund partners with experts in the field to teach this course at long term care facilities or union halls. Fund staff is available to assist the workers with determining their readiness for this program.
 - Basic Life Support for Healthcare Providers (BLS) Certificate ensures that individuals with a duty to respond have the requisite life-saving knowledge and skills to care for adult, children and infant patients who are experiencing respiratory arrest, cardiac arrest, or airway obstruction. This course covers CPR, AED and obstructed airway training for both single rescuer and team basic life support skills.
 - **Cohort Trainings**
 - Periodically, the Fund will sponsor a group (cohort) program to support a cohort of students as they seek to complete a course. Contact fund staff for current program information in your region.
 - **Reimbursement Program**
 - The reimbursement program is designed to allow bargaining unit employees to attend trainings or courses at an accredited institution. The reimbursement rates are specific and determined by the Fund annually. Reimbursement for all or a portion of the costs related to the course will be provided after successful completion of the course. Participants should be prepared to pay costs up front or make appropriate financial arrangements with each school. The courses offered

may vary according to the needs of the industry. The Fund will determine annually which course(s) will be available through the reimbursement program and eligibility for each course. Each course is governed by specific rules and regulations set by the Fund

- **Voucher Program**

- The voucher program is also designed to allow bargaining unit employees to attend trainings at an accredited institution. This program allows bargaining unit employees to take courses without paying upfront fees. The Fund will determine annually which course(s) will be available through the voucher program and the eligibility for each course. Each course is governed by specific rules and regulations set by the Fund.

- **Professional Development Program**

- This program is intended to meet the needs of eligible employees who are required to earn Continuing Education units (CEUs or CE Units) to maintain their certificate(s).

VI. PROCEDURES, RIGHTS AND DISCLOSURES

Selection Procedures

- A. Initial Selection:** The Program Manager of the Fund will in accordance with Sections, III and IV, of this Plan determine whether an applicant is accepted to attend into a program offered by the Fund.
- B. Rules Governing Priority Among Applicants:** Where the number of applicants eligible to participate in any course or program exceeds the number of openings, the Program Manager or the Program Manager's designee(s) will select applicants based upon the following factors:
1. Length of continuous employment
 2. Relevant qualifications
 3. Interview with Fund staff
 4. Coordination with and furthering of present or future needs of contributing employers
 5. Availability of scholarships, tuition assistance or financial aid.
 6. Other factors as deemed necessary by the Fund staff

Denial / Loss of Benefits

A. Class Attendance and Student Performance

Students are expected to progress satisfactorily in the selected course of study. Students are required to attend class on a regular basis and meet the guidelines of the Student Participation Agreement (SPA) and Course Syllabus. They are also required to notify the Fund promptly and in advance by phone, text, or email when they will miss or cannot attend class.

The Program Manager or the Program Manager's designee(s) may suspend or discharge a student in the event of any of the following:

1. Unsatisfactory performance,
2. Excessive absenteeism,
3. Inability to complete a particular course of study in a reasonable amount of time, or
4. Perjury or falsification of an applicant's application and any supporting materials.

Authority of the Trustees

A. Plan Administration and Interpretation:

Notwithstanding any other provision in the Plan, in accordance with the Employee Retirement Income Security Act of 1974("ERISA") and other applicable federal and state laws, the Trustees (or any duly authorized designee thereof) shall have the exclusive right, power and authority, in their sole and absolute discretion:

1. To administer, apply, construe and interpret the Plan and any related Plan documents

2. To decide all matters arising in connection with entitlement to benefits, the nature, type, form, amount and duration of benefits and the operation or administration of the Plan
3. To make all factual determinations required to administer, apply, construe and interpret the Plan.

B. Plan Amendment, Modification and Termination.

The Trustees reserve the right, within their sole and absolute discretion, to amend, rescind, or terminate in whole or in part, this Plan and may adopt amendments which add to, modify or discontinue any program, course, training or service (“Benefit”), even though such amendment or termination affects Benefits which have already accrued. No applicant, or any other person has a vested or non-forfeitable right to receive Benefits from the Fund. No Benefits or other Plan rights will survive the Plan’s termination.

VIII. MISCELLANEOUS

- A. Service of legal process may be made upon the Trustees at the address shown below.
- B. Other Important Facts

OFFICIAL NAME OF THE PLAN

SEIU Local 2015 Long Term Care Workers Education and Training Trust Fund

TYPE OF PLAN

Taft-Hartley (Union-Employer) jointly-trusteed Employee Welfare Benefit Plan

MAILING ADDRESS

P. O. Box 2330
Stockton, CA 95201

SOURCE OF INCOME

Payments are made to the Fund by contributing Employers, according to the Collective Bargaining Agreements between SEIU Local 2015 and contributing Employers. Employer's contribution rates are set forth in the applicable collective bargaining agreements. Current and former Students will be provided with a copy of any collective bargaining agreement by writing to the Plan Administrator, or may examine a copy at the Fund office. In addition, programs funded by grants from other sources may also be offered.

ADMINISTRATOR

The Fund is self-administered. The Board of Trustees is the Administrator. The Fund contracts with the California Long-Term Care Education Center to serve as the Program Manager and a third party administrator.

AGENT FOR SERVICE OF LEGAL PROCESS

Legal process may be served on the Fund's Counsel at:

Schwartz, Steinsapir, Dohrmann & Sommers, LLP
6300 Wilshire Blvd. Suite 2000
Los Angeles, CA 90048-5268

Service of legal process may also be made on a Plan Trustee or the Plan Administrator.

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): 27 – 3532889

EFFECTIVE DATE OF THIS PLAN: June 1, 2015

Definitions

- A. "Fund" means SEIU Local 2015 Long Term Care Workers Education and Training Trust Fund.

- B. "Collective Bargaining Agreement" means any collective bargaining agreement and any extension, modification or amendment thereof between the union and any employer requiring an employer to make Contributions to the Fund; it also means written participation agreements between the Fund and any Employer to make Contributions to the Fund.
- C. "Contribution(s)" mean the payments required to be made to the Fund by the Employers pursuant to the applicable Collective Bargaining Agreements.
- D. "Bargaining Unit Member(s)" mean employees of an employer, for whom the employer is obligated to make contributions working in job classifications covered by Collective Bargaining Agreements.
- E. "Student(s)" mean anyone enrolled in a Fund course or program.
- F. "Employer" means any individual, partnership, corporation or other entity required by any Collective Bargaining Agreement or participation agreement to make Contributions to the Fund.
- G. "Program Manager" means the California Long Term Care Education Center.
- H. "Plan" means the SEIU Local 2015 Union & Employer Training and Trust Fund Plan Document, which describes the Fund's benefits, eligibility rules and other policies and procedures.
- I. "Trust" means the SEIU United Long Term Care Workers Education and Training Trust Fund.
- J. "Trustees" means all the Fund Trustees who comprise the Fund's Board of Trustees.
- K. "Union" means SEIU Local 2015.