



Greater Sacramento Chapter National Electrical Contractors Association, Inc.

Greetings,

I would like to thank you for your interest in becoming a NECA member. We will submit your request to our Board of Directors for review and approval.

Enclosed is our membership application along with the NECA West Bond program information.

NECA West offers a Bond program, required when working in California, covering the following IBEW Locals: 100, 180, 234, 302, 332, 340, 401, 551, 595, 617 and 684. The one-time non-refundable fee for the Bond is \$2,500.00. In addition, NECA offers a Liability and Worker's Compensation package that includes ADR (alternative dispute resolution).

We hold several courses (at no cost to our members) such as "Basic Estimating", "Advanced Estimating" "Change Orders", "Effective Project Supervision" – I, II and III, just to name a few.

We have several bonus and incentive programs:

- Law firm reimbursement program
- Headhunter/Recruiter reimbursement program
- Political assistance/CSLB Representative for C10 License assistance
- Advertisement Reimbursement Policy
- Student Intern Incentives
- New Service Van/Electrician Incentives
- Golden 1 Center, access to seats and lower-level tickets prior to their release to the public.
- Raley Field, access to suite, take out your employees or use this as an added benefit for your marketing purposes.

There is a one-time fee of \$500.00 to join NECA Sacramento Chapter and a fee of \$150.00 for NECA National (annual dues). Thereafter, this Chapter pays the members' annual dues to NECA National for their membership. Additionally, there is a monthly charge; Sacramento and Redding divisions is 1.6% of productive payroll and for Reno division it is at 1% of productive payroll or \$75.00 whichever is greater.

We look forward to working with you. If you have any questions, please call.

Fran McDermott



Greater Sacramento Chapter National Electrical Contractors Association, Inc.



William L. Porter
Founder & President
Specializing in Construction Law,
Business Law and Labor Law

Attorney at Law

Mr. Porter is the President of Porter Law Group, Inc. Mr. Porter has been awarded the highest possible rating of “AV Preeminent” by America’s premier attorney rating service, Martindale-Hubbell, which has also designated Mr. Porter as a “Top Rated Lawyer” in the field of construction law. Mr. Porter also holds the status of “Distinguished Lawyer” in the Expert Network. Mr. Porter’s practice encompasses more than 30 years in private, state and federal construction claims before state and federal courts as well as in mediation and arbitration. Mr. Porter regularly represents contractors, subcontractors, suppliers, developers, and owners in complex multi-party construction litigation. His areas of expertise include construction collections, mechanics’ liens, stop notices, bond claims, prompt payment remedies, construction contracts, competitive bidding, construction defects and construction-related labor and employment matters. He is an appointed El Dorado Superior Court Temporary Pro Tem Judge, a private mediator and arbitrator and has regularly contributed to legislation on behalf of the construction industry.

Mr. Porter is the founding President of Region Builders, Inc. He is the Founder of Applied Legal, Inc. and is a founding member of RISE California. He has served on the Sacramento Board of Directors for Real Estate and Construction Networking (“RECON”) and currently serves on its National Board of Directors. He also serves on the Board of Directors and as legal counsel to the Sacramento Chapter of the American Subcontractors Association (“ASA”) and is a member of the ASA California Government Relations Committee. He has served on the Board of Directors of the Sacramento Builder Exchange and has chaired its Government Relations Committee. He is a member of the Associated General Contractors of California (“AGC”) and the AGC California Legal Advisory Committee. He is a member of the Associated Builders & Contractors (“ABC”) Golden Gate Chapter and the California Professional Association of Specialty Contractors (“CALPASC”). Mr. Porter regularly contributes to legislation on behalf of the construction industry, including as Chair of a statewide committee of construction attorneys who rewrote those construction laws which can be found in California Civil Code sections 8000 to 9566.



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Mr. Porter has testified on numerous occasions in favor of new construction legislation, and he has presented lectures before such construction trade groups as the AGC, ASA, ABC, CALPASC, the Society of Professional Estimators as well as before the California State College System, Builders' Exchanges throughout California, Lorman Seminars, National Business Institute Seminars and for numerous individual contractors throughout the state.

Practice Areas

Construction

Construction Law; Construction Litigation; Construction Defects; Construction Claims and Collections; Mechanics' Liens; Stop Notices; Bond Claims; Prompt Payment Remedies; State and Federal Collection Procedures; Construction Contracts; Private and Public Works; Prevailing Wage Issues; Bid Protests; OSHA Claims; Construction Labor Law.

Labor and Employment

Labor and Employment Law; Labor and Employment Litigation; Employee Contracts; Employee Handbooks; Employee Benefits; Drug Testing Policies; Labor Code 132a Claims; Labor Code 4553 (Serious and Willful) Claims; Wrongful Termination; Discrimination; Labor Commissioner Proceedings; State and Federal Labor Claims.

Education

University of the Pacific, McGeorge School of Law, J.D., 1987;
Recipient, American Jurisprudence Awards: Land Use Planning and Administrative Law;
Case Law Editor, Owens California Forms and Civil Procedure Treatise, 1986-1987;
Editor's Scholarship.

University of San Francisco, B.S. Business Administration (Marketing), 1983;
President, Sigma Alpha Epsilon; Co-founder, Cal Sigma Housing Corporation;
Co-founder, Intra-Fraternity Council.



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Greater Sacramento Chapter National Electrical Contractors Association, Inc.



Gage C. Dungy

Shareholder

Specializing in Labor & Employment Law

Attorney at Law

Gage is experienced in representing and advising employers on various labor and employment law issues, including matters pertaining to employment discrimination/harassment/retaliation, disability accommodation and family/medical leaves of absence, wage and hour law, employee discipline and due process, the meet and confer process, labor relations and negotiations, and the preparation of employment guidelines and policies. Gage represents a range of employers in matters before the Department of Fair Employment and Housing, the Equal Employment Opportunity Commission, the Public Employment Relations Board, the California Unemployment Insurance Appeals Board, the U.S. Department of Labor and the California Division of Labor Standards Enforcement.

Gage has served as chief negotiator for employers in labor negotiations with their employee organizations and unions. Based on this experience, he is very familiar with the relevant laws and strategic considerations related to the representation of employers at the bargaining table, including the impact of impasse obligations and unfair labor practices.

Gage is a popular speaker and trainer and has presented numerous presentations, preventative trainings, and workshops for employers and trade associations on the following topics, among others: Preventing Workplace Harassment (Supervisors, Non-Supervisors, and Elected Officials), Disability and Leave Laws, Performance Management, Labor Relations and the Meet and Confer Process, Employee Discipline, Employee Performance Evaluations, Generational Diversity and Succession Planning, Ethics in Public Service, and Wage and Hour Laws.



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Employment Counseling

Development of Employee Handbooks, Executive Employment Contracts, Employee Severance Agreements, Independent Contractor Agreements, among other employment policies and agreements.

Advise employers on application of laws relating to workplace discrimination/harassment/retaliation, including response to employee complaints.

Advise employers on application of family and medical leave of absence laws, the application of the disability interactive process, and the determination of disability reasonable accommodations in the workplace.

Advise employers on the application of wage and hour laws and the proper payment of employee wages.

Advise employers on state and federal labor and employment law legislative updates and provide strategy on implementation of new legal requirements.

Provide training for employers on preventing workplace harassment and various employment-related topics.

Represent employers against claims filed with the Equal Employment Opportunity Commission (EEOC), the California Department of Fair Employment and Housing (DFEH), and the California Department of Labor Standards Enforcement (Labor Commissioner).

Serve as Chief Negotiator for employers in collective bargaining negotiations with employee organizations and unions.

Advise clients on the application of labor relations laws for workplaces with represented employees.



Greater Sacramento Chapter National Electrical Contractors Association, Inc.



Eddie Bernacchi
Politico Online

California Legislative and Regulatory Representation

In an effort to advance the industry at the state level, Sacramento NECA participates in the Electrical Contractors of California Trust (ECCT) which has been active in legislative advocacy of the California Legislature since the early 1970s. The ECCT was founded "...to promote the passage of statewide legislation and the effective administration of that legislation, to enhance and promote the electrical industry, the construction industry from a union contractor perspective and the public it serves and to oppose statewide legislation contrary to those interests." The mission of the ECCT is both aggressive and protective. The Trust supports and sponsors new laws and regulations that would protect subcontractors and promote union construction in the electrical Industry. The Trust opposes all legislation or regulation that would weaken the high standards and quality set by unionized electrical construction.

In addition, The ECCT provides NECA contractors access and use of its website www.politicoonline.com. The site is designed to connect NECA contractors to California. Whether a NECA contractor needs the status of current legislation, discover relevant industry resources, or simply just stay connected to the politics affecting the industry, NECA contractors can do it all at www.politicoonline.com.

Eddie Bernacchi represents the ECCT through the governmental relations firm Politico Group. Through Politico Group, NECA contractors receive guidance on legislative and regulatory matters, assistance with Contractors State License Board issues, and advice on the numerous other governmental entities and actions affecting the construction industry.



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Reimbursement Policy of the Labor Management Cooperation Committee (LMCC)

The “LMCC” will reimburse employers the following amounts IF the items display the “NECA/IBEW Working Together” Logo, any color you prefer is acceptable:

- HATS \$5.00 PER ITEM
- MASKS (Covid-19) \$5.00 PER ITEM
- SHIRTS \$7.00 PER ITEM
- VESTS \$7.00 PER ITEM
- JACKETS/SWEATSHIRTS \$7.00 PER ITEM
- HARD HATS \$7.00 PER ITEM
- VEHICLE WRAPS 50% OF COST
- SIGNS/BANNERS 50% OF COST

All requests for funding or partial funding must be submitted in advance to the LMCC for approval and reimbursement. The LMCC will provide approval on a **five-to-one ratio** of employees in the field based on NEBF reports from the past six months of submission. For example, 25 employees will give you 125 items reimbursed. If you have 10 employees and request 100 to be reimbursed, you will only receive reimbursement on 50 items upon approval.

Our committee, like your business, operates on a strict budget and we are proud of our success over the years promoting the Unionized Electrical Industry in our jurisdiction. Your cooperation will allow this success to continue.

Thank you and feel free to contact us if you have any questions or concerns.



**Greater Sacramento Chapter
National Electrical Contractors Association**

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Statewide and Local Political Action Committee Authorization

The Greater Sacramento Chapter of NECA Board of Directors approved obtaining contributions for the Statewide California Electrical Contractors Political Action Committee (CEC PAC) and the SECA PAC (Sacramento Electrical Contractors Association Political Action Committee). A \$5.00 per month per member dues transfer to CEC PAC and a \$20.00 per month transfer from NECA dues to the SECA PAC was recommended. State law requires that PAC contributions be voluntary, accordingly we are requesting that all members sign an authorization expressly providing this practice.

The monthly transfer to the CEC PAC and the SECA PAC account will be done internally within the Chapter office. *Please note that this procedure in no way changes the amount you already submit in the form of association dues.*

The Chapter's Board of Directors hopes that you will support the CEC PAC and the SECA PAC. The success of the industry is greatly influenced by local and statewide politics and we must expand our sphere of influence. Your support of the statewide and local PAC'S is essential to that goal. It is imperative that we contribute to candidates who are sympathetic to our issues. We need to invest in the security of our future.

Changes may be made at any time and will be honored immediately upon receipt by the Board of Directors.

Please indicate below your approval/disapproval of this voluntary transfer and return this form to the

Member Authorization

Approve – Transfer \$ 5.00 per month from our NECA dues contributions to the CEC PAC

Approve – Transfer \$20.00 per month from our NECA dues contributions to the SECA PAC.

Member: _____

Signature: _____

Printed name: _____ Date: _____



Greater Sacramento Chapter National Electrical Contractors Association, Inc.

NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

APPLICATION FOR NECA CHAPTER MEMBERSHIP

We hereby make application for membership in the National Electrical Contractors Association, Inc.

*Name of Chapter: NECA Sacramento

Chapter Division Name: Greater Sacramento Chapter

FIRM/COMPANY INFORMATION:

*Firm/Company Name: _____

*Shipping/Street Address (Not P.O. Box): _____ *City: _____

*County: _____ *State: _____ *Zip _____

*Telephone #: _____ Fax #: _____ *Federal Registration # _____

Mailing Address (If Different From Above) _____

City _____ State _____ Zip _____

Company Website: _____

General Information E-mail Address (if different from Accredited Representative below) _____

*Firm/Company has been in the electrical contracting business since _____ (year)

*Firm/Company is party to a labor agreement with IBEW Yes _____ No _____ If yes,

IBEW Local Union # _____

*Firm/Company previously held NECA membership in this chapter: _____

If yes, it was terminated in Month _____ Year _____

*Firm/Company currently holds membership(s) in other NECA chapter(s) Yes _____ No _____



Greater Sacramento Chapter National Electrical Contractors Association, Inc.

ACCREDITED REPRESENTATIVE INFORMATION:

The membership shall stand in the name of the person, firm or corporation engaged in electrical contracting. Each member shall have a duly accredited representative listed with the National Association who shall be the owner, a partner or officer, or occupy a responsible position with the member.

*Name: _____ Date _____

*Signature _____ E-mail Address _____

COMPANY BUSINESS CODES: *see attached worksheet and choose all applicable types of work*

UNDERSTANDING:

We understand that if approved for membership, we will receive a Membership Plaque on loan and the right to use the trademarked NECA logos and seal. We agree to immediately surrender the Membership Plaque to the Secretary of the National Association or local chapter and to cease use of logos and seal upon termination of our membership for any reason. We agree to abide by the governing documents (Constitution, Bylaws, etc.) of the National Association and chapter now in force, as well as those that may be properly adopted in the future. We understand that contributions or gifts to NECA are not deductible for Federal Income Tax purposes as "charitable contributions" but may be deductible as ordinary and necessary business expenses.

APPLICATION APPROVAL:

*Chapter Manager Signature _____ Date _____

Normal mailing of membership material goes directly to the new member. If you prefer, we can mail the material to the chapter for personal delivery to the new member.



New work opportunities, emerging technologies, and changes in the way users conduct online searches have made an update of the business codes in the NECA member profile necessary. You can now further distinguish your company by designating new types of work, construction methods, and certifications on your profile. You can also specify whether your service offering for each type of work covers a particular sector—commercial/industrial/institutional, residential, or non-building—or any combination of the three.

We highly encourage that this information be reviewed and updated on each members' company profile as our Find A Contractor search is one of the primary ways in which new customers find NECA contractors matching their needs.

| TYPES OF WORK (select as many as are applicable) | Commercial/ Industrial/ Institutional | Residential | Non-Building (Utility, municipal, parking structures, runways, etc.) |
|--|---|-------------|--|
| Data and Communications | | | |
| Structured Wiring & Cabling | | | |
| Communications & Networking Systems | | | |
| Data Centers | | | |
| Energy Management, Power Quality & Energy Monitoring | | | |
| Energy Solutions | | | |
| Energy Efficiency & Conservation | | | |
| Fuel Cell | | | |
| Microgrid | | | |
| Green Building & Sustainable Construction | | | |
| Energy Audits | | | |
| Solar | | | |
| Wind | | | |
| Geothermal | | | |
| Combined Heat & Power | | | |
| Smart or Net Metering | | | |
| Electrical Vehicle Charging Stations | | | |
| Energy Storage | | | |
| General—Power | | | |
| Residential | | | |
| Commercial, Industrial, Institutional | | | |
| Service & Maintenance | | | |
| Lighting | | | |
| Lighting Install, Maintenance & Service | | | |
| Lighting Controls | | | |
| Lighting Retrofit | | | |
| Low Voltage/Automation/Controls Systems | | | |
| Fire & Life Safety | | | |
| Building & Automation Systems | | | |
| Industrial Controls | | | |
| Security Systems, CCTV & Access Control | | | |
| CATV | | | |
| Sound & Video | | | |
| Power and Distribution | | | |
| Substations | | | |
| Transmission & Distribution | | | |
| Underground | | | |
| Smart Grid | | | |
| Power Generation | | | |
| Tree Trimming/Line Clearance | | | |
| Specialty | | | |
| Marine | | | |
| Cable Splicing | | | |
| Signage | | | |
| Motor Repair | | | |
| Instrumentation | | | |
| Street Lighting & Traffic Control | | | |
| Remote System Management | | | |
| Building Renovation | | | |
| Storm Management & Recovery | | | |
| Electrical Testing | | | |



Greater Sacramento Chapter National Electrical Contractors Association, Inc.

NECA WEST PAYROLL AND FRINGE BENEFITS GUARANTEE TRUST FUND PARTICIPATION AGREEMENT

In consideration for the sum of Two Thousand Five Hundred dollars (\$2,500.00), the National Electrical Contractors Association (NECA) WEST Payroll and Fringe Benefits Guarantee Trust Fund (NECA Guarantee Trust) permits the undersigned contractor to participate in the Fund under the following terms and conditions. The undersigned contractor represents that 1) he is a member in good standing with one of the participating Chapters of NECA (that accept the NECA WEST Payroll and Fringe Benefit Guarantee Trust as satisfying the bonding requirements set forth in their collective bargaining agreement); 2) he/she has deposited \$2,500.00 Dollars (\$2,500.00) with the Guarantee Trust; 3) he/she has not been delinquent in fringe benefit payments during the twelve-month period immediately preceding the signing of this agreement (six months if the contractor has been in business for less than one year); and, 4) he/she is signatory to a collective bargaining agreement with an International Brotherhood of Electrical Workers Local Union in Northern California.

The Trust agrees to provide payroll and fringe benefits guarantees pursuant to requirements in collective bargaining agreements covering any Local International Brotherhood of Electrical Workers (IBEW) Union in Northern California provided that the contractor complies with all applicable terms of said collective bargaining agreement. Should the contractor in any twelve-month period, or otherwise default as defined in the Trust Agreement, the Fund may declare his deposit forfeit and terminate coverage on and after said date. The contractor also consents to any payment made by the Guarantee Trust as a result of notification of the contractor's default and the account thereof.

During the term of the Guarantee Trust's existence, the Board of Trustee may require an additional one thousand dollars (\$1,000.00) deposit by the contractor. The contractor acknowledges that this is not an insured fund regulated by the Insurance Code of the State of California.

Should the contractor's membership in NECA terminate, said contractor acknowledges that his deposit or deposits herein shall be forfeit and the coverage shall terminate thirty days subsequent to his loss of membership in NECA.

The contractor agrees that neither the Employer Association nor the Union shall be responsible for any debt, liabilities, or obligations for the NECA WEST Payroll and Fringe Benefits Guarantee Trust Fund or any individual employer. NECA WEST PAYROLL AND

FRINGE BENEFITS GUARANTEE TRUST FUND DATED: _____
PARTICIPATING EMPLOYER SIGNATURE: _____



Greater Sacramento Chapter National Electrical Contractors Association, Inc.

CHAPTER MANAGER’S AFFIDAVIT NECA WEST PAYROLL AND FRINGE BENEFIT GUARANTEE TRUST FUND

The enclosed check is a deposit for participation in the NECA WEST Payroll and Fringe Benefit Guarantee Trust Fund by _____ (Employer name). It is in the amount of \$2,500.00 based on the criteria below. The check is being submitted along with a signed participation agreement.

1. The above-named Employer is a member in good standing of:
_____ Greater Sacramento Area (GSA) _____ NECA CHAPTER.

Complete 2 and 3 if applicable. If 2 and 3 are not applicable, please skip to item 4 and complete. All applicable items on this form must be filled in, signed, and/or initialed as called for:

2. The above-named Employer has employed individuals under a NECA/IBEW Collective Bargaining Agreement for a minimum of six (6) months. Work has been performed in the following IBEW Local Union jurisdictions during the past 12 months. *(Please circle appropriate jurisdictions)*

- 100 332 595
- 180 340 617
- 234 401 684
- 302 551

3. I have contacted the administrator of the Trust Funds in the jurisdiction(s) where work was performed. I have determined that the above-named employer has not been late in reporting fringe benefits over the past year and therefore is eligible for the bond fund in the amount of two thousand five hundred dollars (\$2,500) deposit. __ (Chapter Manager Initials)

Chapter Manager _____

Mail To: United Administrative Services
ATTN: Sandy Stephenson
6800 Santa Teresa Blvd
San Jose, CA 95119



Greater Sacramento Chapter
National Electrical Contractors Association
www.necasac.org

NECA West
Payroll and Fringe Benefits Guarantee Trust Fund
Questions and Answers
July 1, 2017

Question: What is the purpose of the NECA West Payroll and Fringe Benefits Guarantee Trust Fund (the “Fund”)?

Answer: The purpose is twofold. On the one hand, it encourages contractors to join NECA which is beneficial to both NECA and IBEW. It is assumed that employers who are members of NECA and have assigned bargaining rights to NECA will be easier to monitor regarding compliance with collective bargaining rights to NECA will be easier to benefit payments. Secondly, it allows contractors with a good credit history an opportunity to comply with applicable collective bargaining agreement bonding requirements inexpensively thereby lowering overhead cost. It provides up to \$15,000.00 (not to exceed the maximum required by the applicable collective bargaining agreement) as fringe benefit loss replacement and up to \$2,500.00 as lost wage replacement.

Q: What are the Fund eligibility requirements and rules that require expulsion?

A: The purpose of the Fund is to provide limited inexpensive fringe benefit/wage loss replacement for contractors who are credit worthy (who have not had a fringe benefit payment delinquency in the 12 months prior to the request to participate in the Fund or if in business at least 6 months but less than 12 months have not been delinquent during the time in business). The entrance fee is \$2,500.00 and is non-refundable. This is a limited, self-funded benefit and wage protection fund; not an insured program. Should the contractor default in fringe benefit payments the contractor will be removed from the Fund. A default is defined as:

- a.** fringe benefit payments delinquent for two consecutive months (e.g. May hours, due June 15, have not been paid by July 15 and June hours are also unpaid);
- b.** lien claim, stop notice, or license bond claim has been made by the local trust to recover delinquent fringe benefits.
- c.** delinquent twice in a 12-month period (i.e. delinquent on a monthly NEBF report prepared by a NECA Chapter)

The Fund is not designed to provide coverage for financially unstable contractors who cannot get coverage elsewhere. If that is the case, then the required entrance deposits would be several times the amount charged by commercial insurance companies. The purpose of the Fund is to allow the credit worthy contractors who are paying premiums year after year to pay only one entrance charge and if determined by the Trustees that additional money is needed by the Fund, a reasonable supplemental charge. (The Fund in its over twenty (20) year operation has had only one supplemental charge and it was comparable to the entrance fee). It is imperative that the Local Trustees of the benefit coverage under the Fund and will be required to obtain an indemnity bond pursuant to the Fringe Benefits Guarantee Trust Fund as well as this Fund attests to the fact that it can be successful and be a benefit it to both labor and management in organizing Union contractors. However, monitoring the initial participation (credit worthy contractors) and ejecting defaulting contractors promptly is essential to the continued successful operation of the Fund.

Q: Should the initial charge be modified depending upon the number of employees of a contractor?

A: Most collective bargaining agreements require bonds that would only cover one or two months of fringe benefits or delinquent payroll for modest employers. It is expected that the Local Trusts will certainly be more attentive to larger employers who are delinquent. Since the bonding requirements of collective bargaining agreements would not come close to covering one month of default of fringe benefits for a large contractor, the initial charge to that large contractor should not be any more than the initial charge to the smaller contractor since the coverage for both contractors is the same and is relatively modest.

Q: Why is there a \$2,500.00 cap on payroll?

A: Employees are in a better position to monitor tier payroll than their fringe benefits and it is their responsibility. An employee can go to the Labor Commissioner and get significant results regarding unpaid payroll. And, of course honoring more than \$2,500.00 of payroll default will wipe out any balance left for fringe benefits. The primary purpose of this Fund is to insure the fringe benefit payments.

Q: When will the Fund make payment in the event of default?

A: Like an indemnity bond, and as required by the Department of Labor prohibited transaction exemption 76-1, the Payroll and Fringe Benefits Guarantee Trust Fund expects each individual Fringe Benefit Fund to have a systematic and prompt collection procedure. This procedure includes filing mechanics liens, stop notices, claims against the licensing bond and pursuing the delinquent contractor. However, if these avenues have been undertaken and it appears that collection is only a matter of time, then the Payroll and Fringe Benefit Guarantee Trust Fund can advance the monies to the appropriate Funds or employees. While the Payroll and Fringe Benefit Guarantee Trust Fund will closely follow these rules, it will cooperate and make payment more quickly than a commercial insurance carrier.

Q: How long must the Union accept the Guarantee Trust Fund in lieu of an indemnity bond?

A: One the Union has agreed to accept the Guarantee Trust Fund in lieu of an indemnity bond, it must accept all contractors who have made the deposit in the Guarantee Trust Fund as fulfilling the obligation under the collective bargaining agreement. However, any contractor who defaults in benefit payments can be required to obtain a separate bond of fulfill other conditions as required in the individual collective bargaining agreement. Furthermore, at any time in the future the Union can require new contractors to obtain commercial indemnity bonds if it no longer wants to accept coverage under the Payroll and Fringe Benefits Guarantee Trust Fund. It is assumed, that a contractor who has not defaulted and who has deposited money in the Payroll and Fringe Benefits Guarantee Trust Fund would not be required at a subsequent date to also obtain an indemnity bond from a local Union so long as his/her coverage remained in place with the Guarantee Trust Fund and the indemnity provisions of the collective bargaining agreement had not been modified. Also, upon renewal of any collective bargaining agreement, the Union could withdraw its acceptance of the Guarantee Trust Fund as a bonding vehicle. Under those circumstances' contractors will be required to obtain an indemnity bond. The entrance fee is nonrefundable.

Q: Who controls the Fund?

A: The Board of Trustees is appointed by participating NECA Chapters.