

SERVICE WORKERS TRAINING AND
EDUCATION PARTNERSHIP
FUND
SUMMARY PLAN DESCRIPTION

January 1, 2021

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Translation Notice

This document contains a summary in English of your Plan rights and benefits under the Service Workers Training and Education Partnership Fund. If you have difficulty understanding any part of this document, please contact the Fund's administrator at 410-872-9500 to receive assistance, or you may write to BeneSys, Inc., Attn: Member Services, 7130 Columbia Gateway Drive, Suite A, Columbia, MD 21046-2963. Office hours are from 8:30 a.m. to 5:00 p.m., Monday through Friday.

Este documento contiene un resumen en inglés de sus derechos y beneficios con el Plan del Service Workers Training and Education Partnership Fund. Si tiene alguna dificultad para entender cualquier parte de este documento, contacte al administrador al 410-872-9500 para recibir asistencia, o escriba a la BeneSys, Inc., Attn: Member Services, 7130 Columbia Gateway Drive, Suite A, Columbia, MD 21046-2963. El horario de oficina es de 8:30 a.m. a 5:00 p.m., de lunes a viernes.

Service Workers Training and Education Partnership (STEP) Fund Contact Information

The Service Workers Training and Education Partnership Fund is administered by a joint Board of Trustees consisting of Union Trustees and Employer Trustees with equal voting power.

Union Trustees

Charles Hendricks
UNITE HERE
8334 Wyton Road
Towson, MD 21286
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Administrator

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7130 Columbia Gateway Drive,
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Columbia, Maryland 21046-
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Legal Counsel

McCracken, Stemerma &
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595 Market Street, Suite 800
San Francisco, CA 94105

Fund Auditor

Weyrich Cronin Sorra
20 Wight Avenue, Suite 210
Hunt Valley, MD 21030

Important Notice About Your STEP Fund Benefits

The Service Workers Training and Education Partnership Fund (known as the “Fund” or “STEP Fund”) is a self-funded multiemployer welfare benefit plan that offers training programs, education programs, scholarship awards, and tuition assistance to certain individuals (the “Plan”). It is also a charitable organization within the meaning of Section 501(c)(3) of the Internal Revenue Code. The purpose of the Plan is twofold: 1) to train and educate eligible individuals working or desiring to work in the food service hospitality and parking industries by promoting basic life skills and work-readiness, enhancing their general employment skills, and providing training for specific job classifications; and 2) to provide scholarship and tuition reimbursements to qualified individuals.

As of January 1, 2021, the Food & Beverage Workers Union Local 23 & Employers Benefits Fund merged into the STEP Fund. The STEP Fund is funded by signatory employer contributions, as well as by state, federal, and private grants and donations for specific purposes.

This document is meant to serve as the Plan document, as well as the Summary Plan Description (“SPD”) for the Plan for the purposes of the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended. The terms contained in this document are the terms of the Plan. Your rights to benefits can only be determined by this SPD as interpreted by official action of the Board of Trustees (the “Board”, the “Trustees” or the “Board of Trustees”). You should refer to this document when you need information about your Plan benefits. In addition, the Board reserves the right, in its sole and absolute discretion, to amend the Plan at any time.

In the event there is any conflict or ambiguity between this SPD and your collective bargaining agreement, this SPD will control. Also, in the event there is any conflict between the terms and conditions for Plan benefits as set forth in this SPD and any oral advice you receive from a BeneSys, Inc. (the “Administrator”) Employee or union representative, the terms and conditions set forth in this document control.

- Save this document – put it in a safe place. If you lose a copy, you can call the Administrator at 410-872-9500.
- If you change your name or address – notify the Administrator immediately by calling 410-872-9500 so your records are up-to-date.
- Throughout this document, the words “you” and “your” refer to individuals who are eligible for Plan benefits. The word “dependent” refers to a family member of a participant who is eligible for scholarship award benefits under the Plan.
- This document describes the provisions of the Plan in effect as of January 1, 2021.

Types of Benefits

The Plan offers the Training and Education Program, as well as the Scholarship and Tuition Program. Please read each section carefully as the types/forms of benefits and eligibility rules vary.

Training and Education Program

Description

The Fund's Training and Education Program is a joint labor/management program, supported by contributions negotiated between UNITE-HERE Local 23 ("Local 23") and any other locals or unions as agreed by collective bargaining agreements and contributing employers. The purpose of the Training and Education Program is to train individuals (present and prospective Employees) in work, professional skills, and safety, as well as to retrain individuals to improve their present skills and/or develop new skills. The goal of the Fund is to support an adequate and competent supply of skilled workers to the Fund's contributing employers and to individual employers so that the Employees can provide sound, safe, and efficient services to the public.

The Board and the STEP Director decide which courses to offer, as well as when and where they are offered, and reserves the right to change course offerings and schedules at any time, based on the Board's determination of participants' and employers' needs.

Costs

You do not pay anything to take Plan courses for food service hospitality and related training. Necessary books and other required course-related materials are provided without charge to eligible individuals who are enrolled and attending the class. Costs of exams that are used to certify you in classes that are taught by the Plan, such as ServSafe, TIPS, and AllerTrain, are also covered by the Fund.

For English as a Second Language (ESL) courses, you may be required to make a small deposit for course materials at the beginning of the class.

Students are responsible for covering any external costs involved in obtaining licenses from external agencies, such as Departments of Health for food management licenses. Also, if you lose a course book, you may be required to pay for a replacement.

Eligibility

In order to be eligible to take Training and Education courses and programs, you must be an "Eligible Individual." Eligible Individuals include: present Employees of contributing employers, their dependents, prospective Employees, and individuals capable of being trained (including disadvantaged persons who may require special education and training).

Certain courses may be restricted to union members, employees of certain participating employers, non-union members, prospective members, or job seekers. Please review the course-specific syllabus for eligibility.

Types of Courses

The courses listed below are examples of those typically offered through the Plan:

- Culinary Classes - General, specific techniques and skills, global cuisines
- Introduction to Baking/Pastry
- Barista - Introduction to coffee service and espresso beverages
- ServSafe Food Handler and ServSafe Manager or other classes that meet the requirements for obtaining a food license in the Washington, D.C., Maryland, Virginia area
- AllerTrain
- TIPS
- English for Speakers of Other Languages
- Preparation for Citizenship Exam
- Customer Service Skills
- Team Building
- Digital Literacy: Introduction to Computers, Microsoft for Beginners, Ipads/tablets
- Health and Safety Classes – general or specific trainings, including those on CPR, First Aid, and Covid-19

How to Apply for Courses

Course offerings are subject to change. To view the current class schedules and enroll, please visit the Fund's website at steptraining.org. You can also contact infomation@steptraining.org or text or call 301-876-4419 for further information.

Reading or Math Test May be Required

Please note that some courses may require a level of math or English fluency, and an initial test may be given to determine whether you have sufficient knowledge to be successful in the class. If you do not meet the prerequisites for a particular course, the Fund may refer to you to other courses it offers or external programs to increase your math or language level. Similarly, the Fund may restrict participation in the ServSafe Manager classes to individuals who have had ServSafe Food Handler or other food hygiene and safety classes.

Certain courses, such as ServSafe or AllerTrain, may come with external exams. If you fail the exam, the Fund will do work to provide you with re-take options and individual or small group tutoring to help you succeed.

Attendance

Courses that are in high demand or come with certifications (internally taught through the Plan or offered through an external source) may have attendance requirements and/or practical and written exams (as described above or at the end of the course). Failure to meet the attendance requirements may result in you being dropped from the course. In certain cases, you may be permitted to continue to attend the course, but due to attendance issues, you may not receive the certification at the conclusion of class. If you fail the exams, you may receive an attendance certificate rather than a successful completion certificate.

All classes also have codes of conduct to which all students must agree. These are general rules about offensive language, harassing or discriminatory behavior and actions, behavior or activity that threatens the safety of other students and instructors.

Scholarship and Tuition Program

Description

The STEP Fund offers a limited amount of Scholarship Award Benefits, as well as Tuition Reimbursement Awards for those who qualify. The purpose of this program is to make undergraduate education more accessible to Employees and their dependents. An “Employee” is an individual who is employed by an employer who is signatory to a collective bargaining agreement with Local 23 or other locals or unions as agreed by collective bargaining agreements to contribute to the STEP Fund.

Scholarship Award Benefits

The Scholarship Award Benefit offered by the STEP Fund is intended to benefit Employees’ dependents for their undergraduate studies. The amounts of the undergraduate scholarship is determined from time to time by the Board and will be periodically updated on the website. Scholarships are paid directly to the accredited, not-for-profit two or four-year college, university, or other post-secondary institution (all are a “Higher Learning Institution”) each quarter or semester that the student proves at least half-time enrollment and remains in good academic standing.

Please note that the decision to award a benefit is subject to the discretion of the scholarship committee. Eligibility for scholarship alone does not automatically entitle an applicant to an award.

Eligibility

“Qualified Individuals” eligible for a Scholarship Award Benefit must be an eligible dependent of an Employee who is presently working for a contributing employer. Eligible dependents are an Employee’s biological child, adopted child, foster child, stepchild (includes the biological or adopted child of your spouse or domestic partner), or grandchild.

In order for any Qualified Individual to be able to receive a scholarship benefit:

- The contributing employer of the Employee must have paid at least 12 months of contributions (within the last 18 months) to the Fund on the Employee's behalf; and
- The contributing employer must be in good standing with its contributions to the Fund.

COVID-19 Limited Exception: Through June 2021, as long as the contributing employer paid contributions on behalf of the Employee through March 2020, the eligible dependent may apply. For applications submitted after June 2021, an Employee will be subject to the regular contribution rule stated above.

Loss of eligibility for a Qualified Individual will occur if, during the academic year:

- The Employee ceases to work for a contributing employer. In this case, the awardee will still be entitled to the award for the entire academic year, but cannot receive any future awards or renewals unless the Employee returns to work for a contributing employer.
- The contributing employer ceases to contribute to the Fund. In this case, the awardee will be entitled to the remainder of the award for that academic year, but will not be eligible for awards or renewals unless the Employee works for another contributing employer.
- If a Qualified Individual loses eligibility due to the Employee's inability to meet work hour requirements, a written appeal may be made to the Board to request an exception. The Board will consider the appeal based on facts and circumstances.

The following individuals are not Qualified Individuals:

- An Employee;
- Spouse of an Employee;
- Relatives of members of the Board;
- Relatives of members of the Scholarship Committee; and
- Employees and dependents of Local 23 staff; however, eligibility exceptions may be requested via an appeal to the Board.

Requirements for New Applicants

New Applicants are Qualified Individuals who have never previously applied for a Scholarship Award Benefit. The following must be true of a New Applicant by the time that the scholarship application is submitted:

- Must be a senior attending public high school or other accredited secondary school, or he or she must have received a high school diploma or a General Equivalency Diploma and have been accepted into a Higher Learning Institution; or
- Must be a current Higher Learning Institution student.

In addition, at the time of application submission, New Applicants must:

- Be 21 years of age or under;
- Enrolled at least half-time, as determined by the Higher Learning Institution attending; and

- Be in good academic standing. For new applicants who have not completed any courses at a Higher Learning Institution, good academic standing means a high school (or equivalent) grade point average (“GPA”) of 3.0 or letter grade average of a B. For a new applicants who are current students at a Higher Learning Institution, good academic standing means a cumulative GPA of 2.7. Please note that meeting the GPA requirement does not automatically entitle a New Applicant to a scholarship award.
- If a New Applicant is not in good academic standing, he or she may submit a written request with a completed application to the Board to consider any extenuating circumstances.

New Applicant Required Documentation

Along with the completed application, the Fund requires New Applicants to submit the following:

- An official high school or Higher Learning Institution transcript showing the cumulative GPA;
- A letter of recommendation from a teacher in a core academic subject (English/Literature, History, Math, Sciences or Humanities) unless the New Applicant will be attending a post-secondary art institution or music conservatory. In that case a recommendation from the music or art teacher is acceptable. Letters may be mailed by the teacher via regular mail or submitted by the teacher to the Fund electronically;
- A personal essay as outlined in the application form;
- Washington, D.C. residents must also apply for the DC Tuition Assistance Grant (DC TAG) if the New Applicant is eligible.¹ If he or she is ineligible, they may submit an explanation; and
- Tuition bill, when received. In the event that a New Applicant is chosen as an awardee, he or she must provide proof of other scholarships, grants, or tuition waiver received in order for STEP to release award funds.

Requirements for Renewal Applicants

Renewal Applicants are Qualified Individuals who have previously received a Scholarship Award Benefit and wish to apply for more. The maximum number of scholarship grants any one Qualified Individual may receive is four (for four years at a Higher Learning Institution), i.e., three renewals. The last renewal application must submitted within six years of the first scholarship being awarded. This means that Renewal Applicants can receive a total of four awards within six years. Following the sixth year, Renewal Applicants are no longer eligible for renewals even if they have not received the full number of renewals.

The following must be true of a Renewal Applicant by the time that the scholarship application is submitted:

- Have received at least one scholarship grant from the Fund prior to submitting an application for renewal;
- Be under age 26; and

¹ DC residents are eligible for grants that provide up to \$10,000 to lower the costs of out-of-state tuition at public universities and up to \$2500 tuition assistance for private colleges and universities in the District.
<http://osse.dc.gov/dctag>.

- Have a minimum cumulative GPA of 2.7. If the applicant's GPA fell below a 2.7, the applicant may submit an application for renewal with a transcript that shows considerable progress, a letter from the applicant, and/or a letter of recommendation from a Higher Learning Institution professor or advisor about the applicant's abilities, and/or a letter from the Higher Learning Institution's reading/writing center or other preparedness program that has been working with the applicant.

Renewal Applicant Required Documentation

Along with the completed application, the Fund requires Renewal Applicants to submit the following:

- An official Higher Learning Institution transcript showing the cumulative GPA;
- Proof of re-enrollment or re-registration; and
- Evidence of any other scholarships, grants, or tuition waivers received.

How to Apply for a Scholarship

Scholarship applications can be found online at www.steptraining.org/scholarships, or you may text or call the STEP Fund at 301-587-0826 for help. In addition, you can request an application via email at scholarships@unitehere.org.

Scholarships are annual. No later than March 31st each year, the Fund will post on its website the application deadline to apply for a scholarship along with other relevant information about how to apply. The required applications and supporting documents may be submitted electronically to scholarships@unitehere.org or mailed to:

STEP Scholarships Committee
P.O. Box 7633
Silver Spring, MD, 20907

When the Fund receives a completed Scholarship Application Form, the Fund will verify that the applicant is eligible and that the application is complete and accurate. If the applicant is ineligible or the application package is incomplete, the Fund will inform the applicant. Late applications will be considered only on a facts and circumstance basis. If eligibility is verified and the application is determined to be complete and accurate, the application will be submitted to the Scholarship Committee for review.

All applicants will receive notification of their awards as soon as possible and in accordance with the dates released each year by March 31st. Spring semester payments will be issued upon receipt of proof of re-enrollment from the Higher Learning Institution.

Knowingly applying for a scholarship for someone who is not eligible is considered fraud and could subject you to criminal prosecution.

The Scholarship Committee

The Scholarship Committee is convened by the STEP Director and consists of a varying panel composed of university professors, retired professors, university deans, high school teachers, counselors. The Scholarship Committee will review applications for new and renewal scholarships and select the scholarship recipients. The Scholarship Committee will make its selections based on the application and supporting material. Applications made by ineligible individuals will not be presented to the Scholarship Committee.

Applicants who have been denied a scholarship and feel that there are special circumstances that have not been considered may appeal the decision to the Scholarship Committee by informing the Fund of their intent to appeal. Supporting evidence of special circumstances, such as hospitalization, family emergencies, etc. must be submitted.

If the Scholarship Committee affirms its initial decision, the applicant can pursue a second step of appeal. The Fund Director will request that two independent scholars review the decision by the committee. All decisions made by the Scholarship Committee regarding whether or not a scholarship will be awarded based on merit are final and are not subject to review by the Fund's Board of Trustees, UNITE HERE staff, or any other party.

How Scholarship Award Benefits Are Determined

The Board determines the amount of the individual Scholarship Award Benefit based on a variety of factors. While no single factor is dispositive, the Board considers (but is not limited to) the following: amount of tuition, additional scholarships or funding received, credit load, half-time or full-time enrollment, good academic standing, and any other factor deemed relevant by the Scholarship Committee.

If a New or Renewal scholarship recipient fails to attend the institution named on his or her scholarship application, he or she should notify the Fund as soon as possible. If a New or Renewal scholarship recipient ceases attending the institution during the semester for which the scholarship was awarded and paid to the Higher Learning Institution, the Fund will be entitled to any tuition refund provided up to the amount of the scholarship. If, after receiving the scholarship but before beginning classes, a New or Renewal scholarship recipient chooses to attend an institution other than the one named on his other scholarship application, the Scholarship Committee reserves the right to review the award.

Tuition Reimbursement Awards

Tuition Reimbursement Awards are intended to benefit Employees of contributing employers who are attending or taking courses at a Higher Learning Institution or a for-profit technical or culinary institution. Employees may request reimbursement for the actual cost of tuition—up to a maximum of \$1,000 per semester -- for up to 2 successfully completed courses. The maximum lifetime reimbursement for each Employee is \$8,000.

Eligibility

Individuals eligible for a Tuition Reimbursement Award must be a present Employee of an employer that is signatory to a collective bargaining agreement with Local 23 or other locals or unions as agreed by collective bargaining agreements to contribute to the STEP Fund. An eligible Employee must also have

had 12 months of contributions (within the last 18 months) made to the Fund on his or her behalf by the contributing employer.

COVID-19 Limited Exception: Through June 2021, as long as the contributing employer paid contributions on behalf of the Employee through March 2020, eligible Employees may apply. For applications submitted after June 2021, an Employee will be subject to the regular contribution rule stated above.

The following individuals are not eligible for a Tuition Reimbursement Award:

- Any dependents of an Employee;
- Spouse of an Employee;
- Relatives of members of the Board;
- Relatives of members of the Scholarship Committee; and
- Employees and dependents of Local 23 staff; however, eligibility exceptions may be requested via an appeal to the Board.

Loss of Eligibility

Employees will lose eligibility for a Tuition Reimbursement Award if:

- Prior or during the semester or quarter that they are taking a class they either lose, quit, or are otherwise separated from their covered employment with a contributing employer; or
- The contributing employer stops making contributions to the Fund on the Employee's behalf prior to or during the semester that the Employee is taking a class or course.

Required Documentation

In order to apply for a Tuition Reimbursement Award, Employees must submit the following documentation:

- A completed application form;
- Proof of tuition paid to the Higher Learning Institution or for-profit culinary or technical school; and
- Proof of successful completion of a class(es) or course(s) within the last 30 days. In the case of academic courses this should be a "Pass", or a grade no lower than a 2.0 or grade letter equivalent.

How to Apply for a Tuition Reimbursement Award

Tuition Reimbursement Award applications can be found online at <https://steptraining.org/reimbursement/>, or you may text or call 301-876-4419. You can also request an application via email at scholarships@unitehere.org.

The deadline for application for reimbursement is 30 days following the end of the completed course(s) or class(es). Tuition Reimbursement Awards are available year-round.

How Tuition Reimbursement Awards Are Determined

Tuition Reimbursement Awards are based on the cost of the class(es) or course(s) for which you submit proof of payment. Applications are accepted on a first come, first served basis and paid to the extent that funds are available. If more than one application is received on the same day and there are insufficient funds to provide benefits to each applicant, the awards will be determined according to seniority.

Overpayments

If the STEP Fund discovers that you have erroneously received an overpayment of any benefits to which you or another person was not entitled in accordance with the provisions of this Plan, the Trustees in their discretion shall take action to recover the overpayments using any permissible legal means. The Trustees will seek recoupment of the overpayment in one lump sum payment with interest. Interest shall be based on the one year T-Bill rate, as of the December prior to each Plan Year up to the date of determination of recoupment. Interest shall be applied from the date of the overpayment to the date of repayment.

Claims and Appeals Procedures

Approval and Denial of Claims

If your claim for a STEP Fund benefit is denied, in whole or in part, you will get a written notice of the denial within 90 days. Special circumstances may require up to an additional 90 days, in which case you will be notified of the delay and the expected date of a decision, within the initial 90-day period. The notice will describe the specific reason or reasons for the denial, the Plan provisions on which the denial is based, any additional information or material that you might need to provide in order to support your application and an explanation of why it is necessary, and the Plan's review procedures.

Appealing Denied Claims

If your claim is denied, in whole or in part, you may appeal in writing to the Board of Trustees within 180 days from the date of the denial notice.

Appeals to the Board of Trustees must be mailed to:

STEP Fund Board of Trustees
C/O Benesys, Inc.
7130 Columbia Gateway Drive, Suite A
Columbia, MD 21046

Your appeal should state clearly the reasons for your appeal and should include any additional documents, records or other evidence that you believe should be considered in connection with your appeal. You must file an appeal before you can file any kind of legal action to review the denial of benefits. The Board of Trustees will consider your appeal and give you its decision after reviewing all necessary and pertinent evidence. You (or your authorized representative) may submit written comments, documents, records and other information relating to the claim in support of your appeal. In considering your appeal, the Board of Trustees will review all information that you submit, even if it was

not submitted or considered in the initial benefit determination. In addition, upon your written request, the Plan will provide you (or your authorized representative) with access to, or copies of, all documents, records and other information relevant to your claim.

The Board of Trustees will make its decision on your appeal at the next regularly scheduled meeting of the Board of Trustees following the receipt of your appeal. In special circumstances, a delay until the second regularly scheduled meeting following receipt of your request for review may be necessary. You will be advised in writing in advance if this extension will be necessary. Once a decision on your review of your claims has been reached, you will be notified of the decision as soon as possible, but no later than five days after the decision has been reached.

Appeal Decision Notice

If your claim is denied on appeal, in whole or in part, the notice will state the specific reason or reasons for the decision, the Plan provisions on which the decision is based, and a statement that you are entitled to receive, upon request and free of charge, reasonable access to, and copies of, all documents and other information relevant to the claim. The notice will also state that you have a right to bring a civil action under Section 502(a) of ERISA to review the adverse decision on appeal.

Further Action

All decisions on appeal will be final and binding on all parties, subject only to your right to bring a civil action under Section 502(a) of ERISA. No individual may file a lawsuit until these procedures have been exhausted. In addition, no lawsuit may be started more than one year after the date on which the applicable appeal was denied. If there is no decision on appeal, no lawsuit may be started more than one year after the time when the Board of Trustees should have decided the appeal. If you have any questions about the appeals process, please contact the STEP Fund.

Plan Information

Official Plan Name

The official name of this plan is the Service Workers Training and Education Partnership Fund.

Type of Plan

The Plan is an employee welfare benefit plan.

Employer Identification Number/Plan Number

81-2503587/502

Plan Year

The Plan Year for this Plan is the 12-month period beginning January 1st and ending December 31st. All records are kept on that basis.

Plan Sponsor

The Plan is sponsored and maintained by a joint labor management Board of Trustees listed on page 4.

Plan Administrator

The Plan Administrator is the Board of Trustees. The Board is assisted by BeneSys, Inc. an administration organization that works under contract. The Administrators are located at:

STEP Fund
C/O BeneSys, Inc.
Attn: Plan Manager
7130 Columbia Gateway Drive, Suite A
Columbia, MD 21046-2963
(t) 410-872-9500
(f) 410-872-1275

Legal Process

The Agent for Service of Legal Process is:

Kimberly Hancock
McCracken, Stemerma & Holsberry, LLP
595 Market Street, Suite 800
San Francisco, CA 94105

Service of legal process may also be served upon any Trustee for the Plan.

Plan Documents

This document serves as the Plan document and the Summary Plan Description. Copies of this document and other materials pertaining to the Plan are available for review. If you wish to see these documents or obtain copies, please contact the Administrator. You will receive notice of any changes in the benefits provided by the Plan described in this document. You should contact the Administrator to update your address and contact information to ensure that you receive all distributed Plan information.

Collective Bargaining Agreements

This Plan is maintained under several Collective Bargaining Agreements between contributing Employers and Local 23 and other locals or unions that have signed Collective Bargaining Agreements requiring contribution to the Fund. These Collective Bargaining Agreements can be examined at the Administrative or the union offices. A participant or beneficiary may obtain a copy of any Collective

Bargaining Agreement by writing to the Administrative or their union. The Plan Administrator may charge you a reasonable fee for a copy of the Collective Bargaining Agreement.

Contributing Employers and Labor Organizations

A complete list of employers and labor organizations sponsoring this Plan may be obtained from the Administrator or may be examined at the Administrator's Office. The Administrator will also, upon written request by a Participant or Beneficiary, advise whether or not a particular employer or labor organization is a Plan sponsor and, if so, will provide the address of the employer or labor organization.

Funding

Contributions to the Fund are made by employers in accordance with the Collective Bargaining Agreements or other written agreements. The Fund is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code and may receive tax-deductible contributions from individuals and businesses that do not have employees whom the locals or unions represent or seek to represent. It also occasionally receives grants from nonprofit and government organizations for use in training programs. Benefits are administered by the Fund staff. Benefits are provided directed from the Fund's assets, which are accumulated under the provisions of the Trust Agreement.

Future of the Plan

This Plan is intended to be permanent. However, the Trustees reserve the right to change the terms of the Plan at any time. Continuation of the Plan is subject to the terms of the Collective Bargaining Agreements.

Your Rights Under ERISA

As a Participant in this Plan, you are entitled to certain rights and protections under ERISA which provides that all Plan Participants are entitled to:

Received Information About Your Plan and Benefits

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.

Obtain upon written request to the Plan Administrator, copies of documents governing the operation of the Plan, including insurance contracts and Collective Bargaining Agreements, and a copy of the latest annual report (Form 5500 series) and an updated Summary Plan Description. The Administrator may make a reasonable charge for the copies.

Prudent Actions by Plan Fiduciaries

In addition to creating rights for plan participants ERISA imposes duties upon the 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 person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a pension benefit or exercising your rights under ERISA.

Enforce Your Rights

If your claim for a welfare benefit is denied or ignored, in whole or in part, you have a 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 your request materials from the Plan Administrator and do not receive them within 30 days, you may file suit in a federal court. In such case, the court may require the Plan Administrator to provide the material, and pay you up to \$110 a day, unless the materials were not sent because of reasons beyond the control of the Plan Administrator. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court. 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 suit in a federal court. The court will decide who should pay the court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees. This order could occur, for example, if it finds your claim is frivolous.

Assistance with Your Questions

If you have any questions about this Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, or if you need assistance in 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.