

**HEAVY AND GENERAL LABORERS'  
LOCAL UNION 472 AND LOCAL UNION 172 OF NEW JERSEY  
SAFETY, EDUCATION AND TRAINING FUND  
SUMMARY PLAN DESCRIPTION**

**January 2014**

**Heavy and General Laborers'  
Local Union 472 and Local Union 172 of New Jersey  
Safety, Education and Training Fund**

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## TRAINING CENTERS

### Local 472 Area

378 County Road  
Cliffwood, New Jersey 07721  
Phone: 732-583-6260  
Fax: 732-583-7175  
Director: Joseph Scerbo

### Local 172 Area

1100 Black Horse Pike  
Folsom, New Jersey 08037  
Phone: 609-567-1959  
Fax: 609-567-4408  
Director: Joseph A. De Marco, Jr.

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## **INTRODUCTION**

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### **OVERVIEW**

The Heavy and General Laborers' Local Unions 472 and 172 Safety, Education and Training Fund (the "SET Fund") offers training and skill advancement opportunities for our members and contractors. The SET Fund also provides technological and industrial advancement for the heavy and highway construction industry overall by offering appropriate, innovative training as determined by the Board of Trustees.

Since its establishment in 1972, the Local Unions 472 and 172 SET Fund has endeavored to develop training and skill advancement programs for members to supply the heavy and highway construction industry with skilled, well-trained workers. Some of the Fund's major highlights are:

- We currently have two major training locations in New Jersey - Cliffwood and Folsom – where we offer state-of-the-art training on safety, environmental and construction skills.
- We also have several satellite training facilities throughout the state.
- Training and job-site safety programs are offered at union locations and contractor sites through Trainer One, our two 18-passenger mobile training classrooms.
- Our instructors are highly skilled in each of their subject areas and certified under state and federal regulations in a wide range of curriculum.
- The SET Fund offers an Apprenticeship Program in cooperation with the New Jersey Construction Craft Laborers Apprenticeship Program.
- The SET Scholarship Program provides financial aid for higher education to the sons and daughters of Local Unions 472 and 172 members.

### **ELIGIBILITY**

You are eligible to participate in SET Fund training programs if your employment is covered by the collective bargaining agreement between the Heavy and General Laborers' Local Unions 472 and 172 of New Jersey and the Associated General Contractors (AGC) of New Jersey and Utility and Transportation Contractors Association (UTCA). You are also eligible if you are a full-time employee of Local Unions 472 and 172, Heavy and General Laborers' Welfare Fund of New Jersey and the SET Fund.

**Se tiver qualquer dificuldade em compreender qualquer parte deste livrete, por favor dirija qualquer pergunta ao Director Geral., Heavy and General Laborers' Safety, Education and Training Fund of New Jersey. Telefone (732) 583-6235. O horario do escritorio: Segunda a Sexta-feira: 9:00 a.m. - 5:00 p.m.**

## **TRAINING SERVICES**

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### **WHAT YOU CAN ACHIEVE THROUGH TRAINING**

The programs available through the SET Fund provide organized classroom instruction and “hands-on” instruction in all aspects of heavy and highway construction. Training courses are offered on a wide range of topics designed to increase your safety, environmental and construction skills. SET Fund programs help every member learn to work smart and work safe, providing contractors with the best skilled and trained workers in the industry.

SET Fund training programs provide you with the opportunity to learn new skills, perfect your existing skills, and participate in training classes that will enable you to broaden your employment opportunities. We offer classes in a variety of disciplines and provide regular opportunities to practice and enhance your skills.

Training programs not only upgrade your skills, but also expose you to new technologies and bring job safety and health to the workplace. Classroom facilities are available at the Cliffwood or Folsom locations as well as job sites and union locations through Trainer One, our two mobile classrooms.

### **PROGRAM COURSES**

Courses are available on an ongoing basis and address safety, environmental, and construction skills.

Available courses under each category include:

#### **Safety Training**

- First Aid/CPR
- CPR Refresher
- OSHA Construction Safety & Health
- Air Monitoring
- Skin Cancer Awareness
- Confined Space Entry Permit Required
- Confined Space Awareness
- CDL Preparation
- Silica Awareness/Respiratory Protection
- Hazard Communication
- Falls and Fall Protection

- Traffic Control
- Excavation & Trenching, Safety and Shoring
- Electrical Safety
- Traffic Control Coordinator (TCC)
- TCC Refresher
- Lead and Silica In Bridges

### **Environmental/Hazardous Waste Worker Training**

- Hazardous Waste Worker
- Hazardous Waste Worker Refresher

### **Construction Skills Training**

- Asphalt Worker Training
- Concrete Worker Training
- Construction Plan Reading
- Cutting and Burning
- Foreman Preparedness
- General Construction
- Line, Grade and Construction Math
- Pipe Laboring
- Rigging and Signaling

## **TRAINING FACILITIES**

The SET Fund operates two major training facilities at these locations:

<b>Local 472 Area</b> 378 County Road Cliffwood, New Jersey 07721 Phone: 732-583-6260 Fax: 732-583-7175 Director: Joseph Scerbo	<b>Local 172 Area</b> 1100 Black Horse Pike Folsom, New Jersey 08037 Phone: 609-567-1959 Fax: 609-567-4408 Director: Joseph A. De Marco, Jr.
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The training facilities offer many opportunities to improve and enhance your skills and knowledge. We urge you to take full advantage of these facilities, the staff and the classes available. The SET Fund also maintains several satellite training facilities throughout the state.

### **MOBILE TRAINING UNIT (TRAINER ONE)**

The SET Fund also operates two 18-passenger mobile classrooms. The Trainer One classrooms provide easy job-site access to presentations that cover a wide variety of safety and training topics.

A typical presentation includes a safety video and discussion that usually runs less than 30 minutes, and is tailored to the contractor or to a job-site's specific needs.

### **HOW TO ENROLL**

If you are interested in enrolling in a course, or want further information about available courses, please contact the appropriate training facility.

# **APPRENTICESHIP PROGRAM**

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## **OVERVIEW**

Contractors and the Laborers' International Union of North America (LIUNA) have established the New Jersey Construction Craft Laborers Apprenticeship Program (NJCCCLAP) as the only federally and state certified apprenticeship program for construction craft laborers in New Jersey. The goal of the apprenticeship training program is to provide apprentices with comprehensive classroom and on-the-job training, and offer support and guidance to apprentices and the contractors who hire them.

We seek program applicants who are of excellent character, highly motivated, and wish to be an asset to the construction industry and the Laborers' Union. Apprentices undergo a comprehensive screening process of basic skills testing, interviews, and classroom instruction.

Once accepted, apprentices are required to complete 400 hours of in-class safety and skills training as well as 4,000 hours of on-the-job training.

## **REQUIRED COURSES**

The Apprenticeship Program requires you to participate in 80 hours of training in each of the following courses:

- General Construction
- Pipe and Trench Safety
- Line and Grade/Asphalt
- Scaffold/Safety
- Concrete/Mason Tending
- Lead and Asbestos Remediation (Environmental Local Only)

## **QUALIFICATIONS**

Applicants must be 18 years of age or older and have a current and valid driver's license.

## **HOW TO APPLY**

Applications are available at any of the NJ Laborers Union Training Facilities. For more information, contact the SET Fund Training Facilities at the phone numbers shown on page 4, or call the New Jersey Construction Craft Laborers Apprenticeship Program at 732-521-0200 or visit [www.njlaborers.org](http://www.njlaborers.org).

# SCHOLARSHIP PROGRAM

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## OVERVIEW

The SET Fund Scholarship Program was established to make higher education scholarships available to members' dependent children and is further recognition of Local Union 472's and 172's continued interest in your and your family's overall success. The Program provides four students (two from Local 472 and two from Local 172) each with a \$10,000 four-year scholarship. The scholarships are awarded for \$2,500 per year (\$1,250 per semester) without regard to sex, race, religion, or national origin. The SET Fund Board of Trustees designates a selection committee to review all applications and select the scholarship winners. Their decision in all matters related to the scholarship awards is final.

## ELIGIBILITY

### Initial Eligibility

For your dependent child to be eligible for a scholarship, you must be:

- An employee in the Heavy and Highway Construction Industry in a job classification covered by a collective bargaining agreement between Locals 472 and 172 and your employer; and
- A member in good standing and currently eligible for Class 3 or higher Welfare benefits through the Heavy and General Laborers' Local Unions 472 and 172 Welfare Fund of New Jersey.

Children of deceased members who attained Class 3 or higher at the time of their death are also eligible, as well as children of pensioners. Children of SET and Welfare Fund employees and children of SET, **Welfare**, Annuity and Pension Fund Trustees are not eligible.

Your dependent child is eligible to apply for a scholarship from the SET Fund if he or she is a high school senior currently applying to a 4-year college or university as a full-time freshman.

### Maintaining Eligibility

Scholarships are administered on a per-semester basis. To continue to receive the scholarship, your child must maintain a full-time student status (minimum of 12 credits per semester) with a 2.5 grade point average or C+ average in each semester. You must also maintain a job classification of Class 3 or higher unless you are a pensioner. Your children will continue to receive their scholarship if you die while an active member in Class 3 or higher, or if you are a pensioner eligible for Welfare benefits at the time of your death.

## HOW TO APPLY

To be considered for a scholarship, your child must submit an application, two teacher recommendations, one guidance counselor recommendation, an official school transcript, and a one page essay about themselves. This essay should include a self-evaluation, reasons for wanting to further their education, and their career goals.

Mail scholarship applications to:

SET Fund  
378 County Road  
Cliffwood, New Jersey 07721

All applications must be received at the SET Fund Office by April 10<sup>th</sup> each year. Faxes are not accepted. Incomplete applications, or applications sent to another location, will not be considered. For more information, contact the SET Fund Office at 732-583-6235.

## **YOUR RIGHTS UNDER ERISA**

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As a participant in the Heavy and General Laborers' Local Unions 472 and 172 Safety, Education and Training Fund (SET Fund), you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all Plan participants are entitled to the following:

### **Receive Information About Your Plan and Benefits**

Examine, without charge, at the Fund Office all documents governing the SET Fund, including 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 collective bargaining agreements, and copies of the latest annual report (Form 5500 series) and an updated summary plan description. The Plan Administrator may make a reasonable charge for the copies.

Receive a summary of the SET Fund annual financial report. The Trustees are required by law to furnish each participant with a copy of this summary annual report.

### **Prudent Actions by Plan Fiduciaries**

In addition to creating rights for training program participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your Fund, called "fiduciaries" of the Plan, have a duty to do so cautiously 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 training benefit or exercising your rights under ERISA.

### **Enforce Your Rights**

If your claim for a SET Fund 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 you request a copy of Plan documents and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$110 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator.

If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in a state or Federal court. In addition, if you disagree with the Plan's decision, you may file suit in Federal court. If it should happen that Fund 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 court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. However, if the court finds your claim is frivolous, the court may order you to pay these costs and fees.

## **Assistance With Your Questions**

If you have any questions about the SET Fund, 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:

Division of Technical Assistance and Inquiries  
Employee Benefits Security Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington DC, 20210

You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publication hotline of the Employee Benefits Security Administration.

## **PLAN INFORMATION**

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### **Official Plan Name**

Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey Safety, Education and Training Plan.

### **Employer Identification Number**

The Employer Identification Number is 22-6171671

### **Plan Number**

The Plan number is 501

### **Type of Plan**

The Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey Safety, Education and Training Plan is a defined benefit welfare plan administered by a Joint Board of Trustees composed of five Union and five Employer representatives.

### **Plan Administrator**

The name, address and telephone number of the Plan Administrator is:

The Board of Trustees of the Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey Safety, Education and Training Fund  
700 Raymond Boulevard  
Newark, NJ 07105  
973-589-5050

### **Plan Administration**

The Fund is administered in accordance with collective bargaining agreements and the Trust Agreement entered into with various Employers in the heavy and general laborers industry by the Heavy and General Laborers' Local Union 472 and Local Union 172 of New Jersey. These collective bargaining agreements require that the Employers contribute to the Fund on behalf of each covered Employee at the fixed rates per hour paid as specified in the particular collective bargaining agreement.

A copy of any collective bargaining agreement requiring Employer contributions to the Fund can be obtained upon written request to the Plan Administrator and may be examined at the Fund Office. Participants or beneficiaries can request, in writing, a copy of these agreements.

### **Funding Medium and Benefits**

Benefits are provided from the Fund's assets accumulated under the provisions of the collective bargaining agreement and the Trust Agreement. They are held in a Trust Fund for the purpose of providing benefits to covered Participants and defraying reasonable administrative expenses.

## **Right of Appeal**

If the Trustees deny your application for benefits or your benefits are reduced, you may request a review of the decision by sending a written appeal within 60 days after receiving the notice. Your written appeal must include your name, address, the date of the decision being appealed, a statement that you are appealing the decision and the reasons why your benefit should not be denied. The appeal must be filed within 60 days after you receive the notice that your claim for benefits is reduced or denied or you will lose the right to appeal the decision.

The Board of Trustees will review your appeal at its next regularly scheduled meeting, unless your appeal request is filed within 30 days before the next regularly scheduled meeting. In that case, a decision will be made at the second meeting after receiving your request. In the event special circumstances make a further extension of time necessary, a decision will be made no later than the third meeting after your appeal is received.

The decision of the Board of Trustees will be in writing and will include the specific reason(s) for the decision as well as specific references to Plan provisions on which the decision is based.

## **Participating Employers**

The Fund Office will provide, upon written request, the information as to whether a particular Employer is contributing to this Fund on behalf of Employees working under a collective bargaining agreement.

## **Agent For Service of Legal Process**

The agent for service of legal process is the Board of Trustees. Service of legal process may also be made upon a Plan Trustee or the Plan Administrator at 378 County Road, Cliffwood, NJ 07721.

## **Plan Year**

The Plan Year is the calendar year April 1 through March 31.

## **Plan Administrator's Authority**

The Board of Trustees, as the Plan Administrator of the Safety, Education and Training Plan's benefit programs, has full discretion and authority to make the final decision regarding all areas of Plan interpretation and administration, including:

- Eligibility for benefits;
- The level of benefits provided;
- Interpretation of Plan language (including this summary plan description); or
- Determination of administrative procedures.

The decision of the Plan Administrator is final and binding on all individuals dealing with or claiming benefits under the Safety, Education and Training Plan, and if challenged in court, the Fund intends for the Plan Administrator's decision to be upheld, unless a court of competent authority finds the decision to be arbitrary and capricious.

No participating Employer, employer organization or labor organization, or any individual employed thereby, has authority to answer questions on behalf of the Fund and the Plan. Refer all inquiries to the Plan Administrator.

### **Plan Termination or Amendment**

The Board of Trustees intends to continue the benefit programs described in this Guide indefinitely. Nevertheless, it reserves the right, subject to the provisions of any pertinent collective bargaining agreement, to terminate or amend any or all of the Fund's benefit programs in whole or in part at any time in the future. If any questions concerning eligibility for benefits arise, the Trustees have sole and exclusive authority to resolve the issue. The Trustees' decisions are final and binding. The Board of Trustees may terminate the Plan when there is no longer in effect an agreement between an employer and the Heavy and General Laborers' Local 472 and Local 172 of New Jersey requiring payment to the Fund. Upon termination of the Fund's benefit programs, the Board of Trustees will apply the monies of the Fund to provide benefits or otherwise to carry out the purposes of the Fund in an equitable manner until all of the remaining assets of the Fund have been disbursed.

### **Rights and Responsibilities**

A Trust Fund is used solely to provide Plan benefits and services for the Fund's benefit programs in accordance with the provisions of the Trust Agreement that governs the programs. If you have any questions or problems as to benefits or benefit payments, you must direct them to the Trustees who administer the Plan or the Fund Office personnel who are authorized to act on behalf of the Trustees.