

## Wisconsin Laborers' Fringe Benefit Funds Employer Guide

The Trustees of the Wisconsin Laborers' Fringe Benefit Funds are pleased to provide you with this Employer Guide. It is intended to serve as a summary of the rules and regulations of the various Funds.

**FUNDS REQUIRE WRITTEN AGREEMENT** — In compliance with federal law, the Fund monitors incoming contributions to make sure that every Contributing Employer has a written agreement detailing the basis on which contributions are to be made. If you are not signatory to an agreement that requires contributions to the Funds, your contributions will not be accepted or credited to your employees.

**HOW TO CONTRIBUTE TO THE FUNDS** — The monthly contribution report can be submitted in two ways: submit Monthly Remittance Report that is mailed to you on or around the 20<sup>th</sup> of each month by mail or using the online reporting system, EmployerXG. The EmployerXG system is very user friendly and will simplify the task of submitting your Employer Remittance Reports.

Before submitting your monthly Remittance Report, verify that monies submitted match your report.

In order to start the Online process, complete the EmployerXG sign up form located at [www.wilemployer.com](http://www.wilemployer.com) Online Remittance – EmployerXG and return it to the Fund Office. The registered users for your company will receive step-by-step instructions for using the system. Additionally, Fund staff will be available to answer questions and assist your staff with the implementation. Once your electronic reports are set up on the website, you will begin remitting your reports on-line.

Whether using the paper form or EmployerXG, report only one month's contributions at a time. Submit the employees' full name, social security number, work location, total hours worked and wage rate.

**EMPLOYEES FOR WHOM CONTRIBUTIONS MUST BE PAID** — Contributions must be paid on all work performed by anyone who works for you under a union collective bargaining agreement (CBA) that requires contributions to these Funds. Contributions must be paid on all employees who perform covered work whether they are union members or not. Employers must make contributions to the Fund governing the area and state in which the work is performed. Where there is a reciprocity agreement between Funds and the employee has signed an authorization, contributions will be transferred to the employee's home fund. Transfer authorizations should be obtained from the Fund to which the contributions were remitted.

**WHEN CONTRIBUTIONS ARE DUE** — Contributions are due no later than the 15<sup>th</sup> day of the month following the month in which the work was performed. If contributions are not received on time, you will be subject to liquidated damages and interest. Late payments will automatically be charged in the amount of 20% of the amount due and 1 ½% interest for every month of delinquency.

You have the right to appeal liquidated damages by writing to the Wisconsin Laborers' Employers Accounts Committee in care of the Fund Administrator and explaining the exceptional circumstances that justify a waiver of the liquidated damages you were assessed.

Mail Contributions to: Wisconsin Laborers' Fringe Benefit Funds, Lockbox 978844, PO Box 8844, Carol Stream, IL 60197-8844  
Mail audit payment and correspondence to: Benefit Plan Administration, 2901 W Beltline Hwy, Suite 100, Madison, WI 53713-4226  
Mail other correspondence to: Wisconsin Laborers' Fringe Benefit Funds, 4633 Liuna Way, Suite 201, DeForest, WI 53532-2510

**AUDITS OF PAYROLL RECORDS** — Each employer is audited periodically to determine the accuracy of the monthly reports and contributions submitted. Payroll audits are normally scheduled once every three years and are performed by Combined Crafts. Payroll audits will be scheduled more frequently if the Trustees suspect that payments are not being remitted in accordance with the collective bargaining agreement.

When your company is selected for an audit, you will receive an appointment letter from Combined Crafts. If the scheduled date is not convenient, please contact Combined Crafts for an alternative date. When the audit is completed, you will receive written notification of its results. If you disagree with the audit results, please contact the auditor immediately to arrange for a personal review of the findings. If delinquencies are disclosed during the course of the audit, you are subject to liquidated damages and interest.

**EMPLOYEES WORKING UNDER A CBA** — The employee cannot be a substantial officer (for example, president, vice-president, secretary or treasurer) or an owner of the company. Contributions are based on the number of hours each employee works. The current contribution rates are defined in your CBA and also available at <https://liunawisconsin.org/current-past-wage-rates>

**NON-BARGAINING UNIT EMPLOYEES — Health Coverage:** Employers have two health coverage options for employees not working under a collective bargaining agreement.

Option 1: An Employer party to a CBA that requires contributions for bargaining unit employees may apply for health coverage for employees who at one time worked under and had contributions funded to the Wisconsin Laborers' Health Fund under a CBA. Any Employer contributing for such a former collective bargaining employee must contribute for all its employees who similarly were formerly covered by the Plan under a CBA.

Option 2: An Employer party to a CBA that requires contributions for bargaining unit employees may apply for coverage for all non-bargaining unit employees. Any employer contributing for such non-bargaining unit employees must contribute on at least 70% of its non-bargaining unit employees who work 25 hours or more a week.

**Pension Coverage:** An Employer party to a CBA that requires contributions for bargaining unit employees may apply for pension coverage for employees who at one time worked under and had contributions funded to the Wisconsin Laborers' Pension Fund under a CBA.

Any employer contributing on such a former collective bargaining unit employee must contribute for all of its employees who similarly were formerly covered by the Plan under a CBA.

**PERSONS FOR WHOM CONTRIBUTIONS CANNOT BE PAID** — Self-employed persons working as sole proprietors, 100% shareholders or partners cannot remit contributions on their own behalf to the Health or Pension Funds.

Every effort has been made to ensure the accuracy of the information. However, if statements in this guide differ from the language in the applicable Fund documents, the terms and conditions of the Fund documents will prevail. This guide is not a contract. Do not consider it legal advice regarding your obligations under the trust agreements, other Plan documents, collective bargaining agreements or any other matters. Please consult your attorney for specific legal advice.