

1199SEIU/Employer Child Care Fund



Our Benefits

Summary Plan Description
of Your Child Care and Youth Benefits

1199SEIU/EMPLOYER CHILD CARE FUND

MISSION STATEMENT

The 1199SEIU/Employer Child Care Fund (the “Fund” or “CCF”) will establish child care and youth programs and related services for Fund-eligible 1199SEIU bargaining unit members (“Members”) in order to increase their access to quality, affordable child care and youth-related services and information.

To assist parents in reconciling their work and family responsibilities, the Fund will provide programs and services that meet the particular needs of children from infancy through age 17.

The Fund shall be guided by the following principles:

- **Nurturing Educational Environments.** Safe, responsive and educationally stimulating environments best serve the child care needs of members and their children.
- **Cultural Diversity.** Racial, ethnic and economic diversity foster cooperative experiences for children and employees.
- **Fiscal Responsibility.** Fund assets shall be spent for the benefit of as many children as possible while maintaining quality and meeting all regulatory requirements.
- **Union/Management Participation.** Cooperation among all constituents maximizes the effectiveness of the Fund.

¿NECESITA AYUDA CON EL SUMARIO DE DESCRIPCION DEL PLAN?

Este folleto es un sumario en ingles de sus derechos y beneficios bajo el Fondo del Cuidado del Niño. Si usted no entiende este sumario y necesita ayuda, escriba al Fondo:

**330 West 42nd Street, 32nd Floor
New York, NY 10036-6977**

o llame: (212) 564-2220

Las horas de oficina del Fondo son de 9:00 am a 5:00 pm de Lunes a Viernes.

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WELCOME TO THE CHILD CARE FUND

The 1199SEIU/Employer Child Care Fund (the “Fund” or “CCF”) has been established jointly by 1199SEIU United Healthcare Workers East (the “Union”) and the League of Voluntary Hospitals and Homes of New York (“Employers”) to provide you with child care benefits. The Fund offers a wide variety of benefits to assist working members and their families. You must meet certain eligibility requirements in order to receive Fund benefits. Some Fund benefits are tax-exempt, while others are taxable in the same way as your pay is taxable.

This booklet, the Fund’s Summary Plan Description (“SPD”), summarizes the benefits provided by the Fund, eligibility requirements, the application procedure and other important information. Full details about the Fund are contained in the Agreement and Declaration of Trust and in the Plan, which are available for examination at the Fund office.

Along with registration materials, an annual addendum to this SPD will be made available to Fund-eligible parents in August. The addendum is incorporated in, and made part of, this SPD by reference.

For your convenience, a glossary at the end of the SPD contains definitions of terms used to describe the benefit process.



SECTION I - BENEFITS

IMPORTANT PHONE NUMBERS

Please call (212) 564-2220 for answers to your questions about your benefits.

You can also visit our website at www.1199SEIUBenefits.org for other information.

WHAT BENEFITS DOES THE CCF OFFER?

The Fund provides a wide variety of child care benefits. They include on-site and off-site day care facilities, child care referral services, college preparation, summer camp, holiday and cultural arts programs, as well as voucher reimbursement and emergency care programs.

CHILD CARE PROGRAMS AND SERVICES

Full-day child care services are available through the 1199SEIU/ Employer Child Care Corporation, which sponsors the Future of America Learning Center. At this Child Care Learning Center, a multicultural curriculum provides full-day, age-appropriate learning that supports physical, social and intellectual development. The Center is open from 6:45 am to 6:00 pm; breakfast, lunch and two snacks are served daily. If approved for this program, parents make a co-payment and the CCF covers the balance of the tuition.

CHILD CARE RESOURCE AND REFERRAL SERVICES (CCR&R)

The Fund administers a service that can provide child care referrals for parents seeking information about day care centers, family day care homes, summer camp, special needs programs and after school care. The Fund's Program Services department

also offers parenting seminars to provide members with additional information and resources to assist them in preparation for college admission and financial aid, camp selection and summer employment. There is no fee for these services.

CULTURAL ARTS PROGRAM (CAP) – 5 TO 17 YEARS

This Saturday program provides a rich cultural experience for children ages 5 to 17 years (age limits vary depending on site). Crafts, music, fine arts, computer graphics, dance, theater and recreation are some of the activities offered at program locations. There is a co-payment for this program, and the Fund covers the balance of the cost.

CULTURAL ARTS STIPEND PROGRAM (CASP) – 5 TO 17 YEARS

Parents who require child care to work weekends can have the partial costs for their child's weekend classes in the arts, education or recreation reimbursed. In order for the member to be reimbursed, the programs selected must meet the following criteria: a) have a tax identification number; b) be an established arts or recreational institution in existence for more than two years and be approved for reimbursement by the Fund; c) offer age-appropriate arts or recreational programming to children

ages 5 through 17 years; and d) have established course descriptions and a fee schedule. Additionally, members must provide the Fund with documentation that the program meets the requirements listed above and show proof of tuition payment.

EMERGENCY CARE RELIEF

Parents who are experiencing a sudden personal or family crisis that affects the child care arrangements that they need in order to work can apply for emergency care relief. Applicants' situations must meet the criteria adopted by the Trustees to qualify as an emergency for reimbursement under this program. All emergencies are subject to final decision by the CCF.

SUMMER DAY CAMP (SDC) – 3 TO 17 YEARS

The Fund works with licensed camps in the metropolitan area to offer summer day camp programs to members' children.

SPECIAL NEEDS SUMMER DAY CAMP (SNSDC) – 5 TO 17 YEARS

In order to accommodate the many different documented special needs of members' children, the Fund subsidizes children at the special needs sites of your choice. Members must indicate the name of the camp and the type of special need on the application. If you need help finding a camp, please call the Fund's CCR&R Services at (212) 564-2220.

SUMMER DAY CAMP VOUCHER (SDCV) – 3 TO 17 YEARS

Day camp assistance is provided for members who live outside of the New York City metropolitan area, or who have children requiring special accommodations based on dietary or religious restrictions.

HOLIDAY PROGRAM (HP) – 3 TO 15 YEARS

The Fund partners with local service providers to offer Holiday Programs, which provide full-day holiday camp services during school breaks in February, April and December. There is a \$25 co-payment for this program.

HOLIDAY SLEEP-AWAY PROGRAM (HSAP) – 3 TO 17 YEARS

The Fund also contracts with camps to provide Holiday Sleep-Away Programs, or one-week sleep-away camp sessions during public school recess periods in the winter and spring. Activities are primarily recreational and educational and are designed for children's growth and development. Co-payments are based on a sliding fee scale.

VOUCHER REIMBURSEMENT PROGRAMS

- *Day Care Voucher (DCV) – Newborn to 5 years*
- *After School Voucher (ASV) – 6 to 12 years*

The voucher system reimburses parents for a portion of their child care and after school expenses on a quarterly basis. Parents can use documented care (service provided by a person or center that is licensed or registered by the city, county or state) or undocumented care (care provided by a friend or relative who is not a spouse). The voucher system allows parents to receive day care reimbursement for their children from birth to 6 years and after school care reimbursement for children from 6 to 12 years.

YOUTH PROGRAMS

SAT PREP PROGRAM (SAT) – HIGH SCHOOL JUNIORS

Classes for high school juniors preparing to take college entrance exams (SAT/ACT) are offered at sites across the New York City metropolitan area on Saturdays.

WORKFORCE 2000 (WF 2000) – 14 TO 17 YEARS

Students prepare for college and careers by participating in a rigorous self-exploration, which includes a weekend retreat, a summer internship or academic session, workshops and Saturday classes at New York University. They receive assistance in assessing their academic development and in setting and accomplishing goals for entering college. Students interested in pursuing a career in nursing may apply to the WorkForce 2000 Pre-RN track. The Pre-RN track aims to increase both the availability and diversity of the New York City nursing workforce by preparing high school students to seriously consider nursing professions.

There is no co-payment for WorkForce 2000. However, due to the age requirement of the students, this benefit is generally taxable and you may receive a W-2 tax form from the Fund at the end of the year to include in your tax return. Please see page 25 (“Do I Have to Pay Taxes on CCF Benefits?”) for more information on taxes.

In addition to the programs listed, the 1199SEIU/Employer Child Care Corporation administers the 1199SEIU National Benefit Fund’s Anne Shore Camp and Joseph Tauber Scholarship Program as well as the 1199SEIU Training and Employment Funds’ Labor Management Initiative Youth Mentoring Program. Please consult the National Benefit Fund’s Summary Plan Description for more information on these three programs.



SECTION II - ELIGIBILITY

WHO DECIDES WHICH OF THESE BENEFITS ARE AVAILABLE?

The 1199SEIU/Employer Child Care Fund Board of Trustees has adopted a Plan of benefits that is made available to parents at all contributing health facilities. All benefits are subject to the Fund's eligibility requirements.

The Child Care Fund Advisory Committee comprises 1199SEIU members from participating institutions who help shape CCF programming by providing information on quality programs in various communities, acting as a liaison between institutions and CCF, and offering feedback on programs used and members' needs.

Child Care Fund Advisory Committee members work in collaboration with Local Child Care Committees at health facilities where they are active. It is important to let the representatives of your Local Child Care Committee know about your child care needs. These volunteers understand how the Fund works and can assist parents in getting child care information or applying for services. You can get additional information about joining the Local Committee of your Employer from the Fund office.

ELIGIBILITY FOR BENEFITS

To apply for benefits, you must:

- Be employed on a full-time or part-time (two-fifths of a work week) basis at a participating 1199SEIU institution where the Employer has commenced making contributions
- Have passed the 90-day probation period
- Be legally responsible for children, as defined in the “How Do I Apply for Benefits” section, from birth to 17 years of age
- Complete a registration application before the deadline, provide proof of employment and child(ren)’s dependency, and supply all required documentation
- Have paid all co-payment balances and taxable CCF benefit costs
- Have a copy of the Social Security card of each child for whom you are applying
- Not be on Workers’ Compensation or short-term disability for more than 26 weeks

IF I AM ELIGIBLE, AM I GUARANTEED THE BENEFITS OF MY CHOICE?

No. Each year, the Trustees approve a budget that the Fund cannot exceed. If the demand for benefits is greater than the budget, applicants are approved for benefits in priority order.

HOW BENEFITS ARE DISTRIBUTED

The 1199SEIU/Employer Child Care Fund will distribute benefits based on members' benefit history (prior participation in the Fund) and seniority within the budget groups established by the most recent collective bargaining agreement. Members with no benefit history will be given priority by seniority over those with a previous history. For example, members who are applying for the first time or who are reapplying in a given year after not receiving benefits in the previous year, will be placed ahead of those members with a benefit history. The distribution begins with members with no benefit history and continues through to members with a current benefit history while keeping members in seniority order until monies are exhausted.

You may be able to receive more than one program:

You are encouraged to apply for more than one program because you may not get your first choice (due to a maximum allocation of a particular program), or you may receive more than one benefit if monies are available. Therefore, it is very important that you take the time to consider the programs that are the most important to your family and that you number them in priority order on the application.

Please Note:

- a) There are no special exceptions made in the case of twins.
- b) If there are two Fund-eligible 1199SEIU parents working at the same or different institutions, each parent may apply for the programs of his or her choice. Both parents are entitled to benefits; however, **the Fund will not pay for duplicate benefits for the same child.**
- c) Members who work at more than one institution may only submit an application for one of the institutions.
- d) There are no special exceptions made for newborn children who do not have a Social Security number. **The Fund cannot register any child without a Social Security number.**
- e) There are no special exceptions made for unborn children. The Fund only registers children from birth to 17 years of age.
- f) The Fund makes every effort to accommodate children with documented special needs. Once they are approved for a benefit, parents should inform the Fund promptly of special programming requirements for their child.
- g) Members are eligible for benefits only for child care that occurs while they are members of the Fund.

MILITARY LEAVE

A member who has been approved for a benefit prior to assuming active duty will be permitted to extend the benefit period for the lesser of the time in active duty or the end of the current benefit year for which the member has been approved for benefits.



SECTION III - GETTING YOUR BENEFITS

HOW DO I APPLY FOR BENEFITS?

You must complete a registration application and submit it during the registration period, which occurs during the months of September and October. Registration concludes at the end of October. All required documentation outlined in the registration application packet must be provided before the end of the registration period. Late or incomplete applications will not be accepted under any circumstances. Registration materials will be made available in August. To obtain an application, visit the Fund office, see your Advisory Committee representative or register online by visiting www.1199SEIUBenefits.org/ccf.

Acceptable documentation for eligibility:

- Copies of your last two recent pay stubs dated within 30 days of registration. (If you are on disability, submit a copy of your last pay stub and your most recent disability stub.)
- Copy of your 1199SEIU Health Benefits ID card listing dependent children
- If your children are not listed on the 1199SEIU Health Benefits ID card, acceptable proof of legal dependency is required. You must be able to prove that that they are your biological children (birth certificate listing you as parent), that they are your legally adopted children (adoption papers) or that they are your legal dependents (you are identified as the legal parent on their birth certificate). Stepchildren, foster children, grandchildren, other family members, other children living in your household, or other children that you may be financially responsible for cannot be covered by the Fund.
- If your bargaining unit does not contribute to the 1199SEIU National Benefit Fund, you may submit your participating health insurance ID card if dependents are listed. If not, you must provide proof of legal dependency as listed above.
- Copy of the Social Security card of each child for whom you are applying.
- If you do not have a copy of the Social Security card, you must provide the Fund with an original letter from the Social Security Administration, showing the child's Social Security number, or a copy of last year's signed federal tax return showing the child's Social Security number.

- If you have registered since 2002, you only need to bring in Social Security cards for your children who were born after 2002. If your child does not have a Social Security number, the Fund will be unable to register that child.

If approved to receive benefits, members will be required to certify their tax status by completing and returning the Program Status Letter/Tax Certification, which is mailed to your home after registration. If applicable, members are also required to complete and return the Co-Payment Invoice. The deadline for submitting these signed forms will be stated in your registration materials. Members who do not receive benefits during a given year will be notified by mail.

All copies submitted must be legible.

CAN I REGISTER ONLINE?

Yes, 1199SEIU/Employer Child Care Fund members can register online at our website, www.1199SEIUBenefits.org/ccf.

For additional information on applying for benefits, consult your registration materials.

AFTER I AM APPROVED TO RECEIVE A CHILD CARE FUND BENEFIT, CAN I BE DENIED THE BENEFIT?

Yes, the following policies can result in program removal to the extent feasible. The Fund will provide notice to the best of its ability prior to the removal or denial of any benefit.

Appropriate Fit – Occasionally, the Fund will determine that there is an inappropriate fit between a child and the program that he/she is attending. In this case, the Fund may, in its sole discretion, remove the young person. If this occurs, the Fund will attempt to locate a program that meets the needs of that child. However, if a suitable program is not identified, the benefit will be denied.

Workers' Compensation and Disability – All CCF benefits will cease after the last day of Workers' Compensation or short-term disability, up to a maximum of 26 weeks.

Terminations and Layoffs – All benefits will cease 30 days after the date of termination or layoff. There is only one exception to this policy: when the child has entered summer camp prior to the 30-day cutoff, the child will be permitted to complete summer camp for the approved period.

Employer Mergers, Acquisitions and Transfers – When an employee is transferred during a benefit period because of a merger, acquisition or contract change between two different

budget groups, the benefits originally approved for that employee continue without disruption. If the employee transfers to an 1199SEIU collective bargaining position, in a bargaining unit that does not contribute to the Fund, the executive director may extend benefits up to 90 days.

Employer Delinquency – Employees of an Employer who is in arrears in contributions due to the Fund for four months or more are ineligible for approval for, or entry into, Fund programs until the Employer makes full payment of all amounts due to the Fund, unless the Trustees determine otherwise. Employees of such Employers whose children are approved for or participating in cash reimbursement programs, e.g., voucher, cultural arts stipend, and emergency care, will have their benefits terminated immediately. Employees whose children are already participating in programs other than those listed above may complete those current program activities for a period not to exceed 30 days. This 30-day period is granted in order for the employee to make other child care arrangements. In unusual circumstances, the executive director has the discretion to extend the benefit for a reasonable time, not to exceed a total of 90 days, upon written request of the employee.

All employees of such Employer will be ineligible for additional Fund benefits until the Employer makes full payment of all delinquencies, unless the Trustees determine otherwise.

If benefits are terminated as indicated above, employees of such Employer will be notified and the Employer may be required to extend this benefit through other sources.

Offsetting Obligations – Sometimes a member who is approved for Child Care Fund benefits owes to the Fund either program co-payments or taxes that the Fund has made to the IRS on behalf of the member. If the member fails to make these payments, current benefits will be discontinued and future benefits will be denied. If the member is receiving cash benefits, the benefit will be used to offset the payment owed to the Fund.

STEPS FOR CLAIMING A BENEFIT

The steps for claiming a benefit are stated in the registration materials. Please review and follow these steps, call the Fund or visit our website at www.1199SEIUBenefits.org for additional information.

WHO PAYS FOR MY BENEFITS FROM THE CCF?

Under your collective bargaining agreement, your Employer is required to contribute to the Fund to pay for CCF benefits. The contributions made by each Employer are used for administrative costs and for benefits. These contributions are commingled into budget groups pursuant to the collective bargaining agreement.

Some CCF benefits you receive may require you to make additional co-payments. Fee schedules, which detail co-payment charges, are included in the registration materials.

DO I HAVE TO PAY TAXES ON CCF BENEFITS?

Some CCF benefits are included in your taxable income while other benefits are tax-exempt. To receive any benefits under the Plan, you must first provide a tax certification to the Fund. It is up to you to determine whether or not the benefits you receive are taxable and to make the appropriate disclosures on your tax certification and income tax returns. The Fund will rely on your certification, but reserves the right to take whatever steps are required to comply with the Internal Revenue Code.

For more information, please consult your Registration Information Booklet, which is an addendum to the Plan. You are solely responsible for making these determinations. Each individual's tax situation is unique. Please consult with a competent tax professional. When completing a registration application for benefits through the Fund, you must certify to the tax liability for each of the programs for which you apply. If your benefits are taxable, the benefits will be reported on a W-2 Form that you will receive from the Fund. Please note that the tax laws prevent you from reporting child care expenses in order to receive a tax deduction while simultaneously receiving a tax credit for the same benefit.

Please Note: *This information is provided as a general guide and is not intended to provide tax advice.*

CAN I APPEAL IF MY REQUEST FOR CCF BENEFITS IS DENIED?

If your request for CCF benefits is denied, you will be notified in writing within 90 days of the last day program applications are allowed, unless during the 90-day period you are notified by the Fund of special circumstances which require an extension of time. In such case, you will be notified of the special circumstances and the day, not to exceed an additional 90 days, by which a decision will be reached.

To initiate the appeals procedure, you may make a written request for a review of your claim to the Plan Administrator within 60 days to the address indicated below after you receive notice of the denial of benefits. Your request must include your Social Security number and the name of your current Employer. You should also include any additional information to support your claim. Upon receipt of your request for review, your appeal will be considered by the Appeals Committee of the Board of Trustees. Within 60 days of receipt of your request for a review, you will receive a written decision explaining the basis for upholding or modifying the original decision. If you are advised in writing that additional time is required because of special circumstances, your appeal will be processed as soon as possible, but no later than 120 days after receipt of your request for

review. All decisions of the Appeals Committee shall be in writing and shall be final and binding on all parties affected by it, subject to your ERISA right to proceed in court (see page 31).

Appeals should be sent in writing to:

The 1199SEIU/Employer Child Care Fund
Claim Appeals
PO Box 646
New York, NY 10108-0646

Please Note:

All claims against the Fund are subject to the appeals procedure. No lawsuits may be filed in any court until all steps of the procedure have been completed and the benefits requested have been denied in whole or in part.

AUTHORITY OF THE PLAN ADMINISTRATOR

The Plan Administrator consists of the Board of Trustees and its duly authorized designees and subordinates, including, but not limited to, the executive director and other senior employees. Notwithstanding any other provision in the SPD or Plan, and to the full extent permitted by ERISA and the Internal Revenue Code, the Plan Administrator shall have the exclusive right, power and authority, in its sole and absolute discretion to:

- Administer, apply, construe and interpret the SPD and Plan and any related Plan documents.
- Decide all matters arising in connection with entitlement to benefits, the nature, type, form, amount and duration of benefits and the operation or administration of the SPD and Plan.
- Make all factual determinations required to administer, apply, construe and interpret the SPD and Plan (and all related Plan documents).

Without limiting the generality of the statements above, the Plan Administrator shall have the ultimate discretionary authority to:

1. Determine whether any individual is eligible for any benefits under this SPD and Plan;
2. Determine the amount of benefits, if any, an individual is entitled to under this SPD and Plan;
3. Interpret all of the provisions of this SPD or Plan (and all related Plan documents);
4. Interpret all of the terms used in this SPD and the Plan;
5. Formulate, interpret and apply rules, regulations and policies necessary to administer the SPD and the Plan in accordance with its terms;
6. Decide questions, including legal or factual questions, relating to the eligibility for, or calculation and payment of, benefits under the SPD and the Plan;
7. Resolve and/or clarify any ambiguities, inconsistencies and omissions arising under the SPD, the Plan or other related Plan documents; and
8. Process and approve or deny benefit claims and rule on any benefit exclusions.

WHEN BENEFITS MAY BE SUSPENDED, WITHHELD OR DENIED

The Fund will be unable to process your claim if you or your children do not provide the Fund with all the information, documents or other material it needs to process your claim for benefits.

Benefits may be suspended, withheld or denied for the purpose of the recovery of any and all benefits paid:

- That you were not entitled to receive;
- That your dependent children were not entitled to receive;
- For claims that you or your dependent children would otherwise be entitled to until full restitution (which may include interest and expenses incurred by the Fund) has been made for any fraudulent claims that were paid by the Fund.

ADDITIONAL PROVISIONS

Nothing in this booklet shall be construed as creating any right in any third party to receive payment from this Fund.

Payments shall not be made to a person who is:

- A minor (under age 18)
- Unable to care for his or her affairs due to illness, injury or incapacity.

Instead, the payment shall be made to a duly appointed legal representative or to such person who, in the judgment of the Plan Administrator, is maintaining or has custody of the person entitled to payments.

No legal action may be brought against the Fund or the Trustees until all remedies under the Fund have been exhausted, including requests for administrative reviews or appeals.

Payments made by the Fund that are not consistent with the Plan – as stated in this booklet or as it may be amended – must be returned to the Fund.

No benefit payable under the Plan shall be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance or charge. Any action by way of anticipating, alienating, selling, pledging, encumbering or charging the same shall be void and of no effect. Nor shall any benefit be in any manner subject to the debts, contracts, liabilities, engagements or torts of the person entitled to such benefit.

Notwithstanding the foregoing, the Fund shall have the power and authority to authorize the distribution of benefits in accordance with the terms of a court order that it determines is a qualified medical child support order, as required by applicable federal law.

The Fund does not cover claims containing misrepresentations or false, incomplete or misleading information. If a false or fraudulent claim is filed, the Fund may seek full restitution plus interest and reimbursement of any expenses incurred by the Fund. In addition, the Fund may suspend the benefits to which the participant and his or her dependents(s) would otherwise be entitled until full restitution has been made. The Trustees reserve the right to turn any such matter over to the proper authorities for prosecution.



SECTION IV – GENERAL INFORMATION

YOUR ERISA RIGHTS

You have certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA).

Getting Information

You have the right to:

- Examine, without charge, at the Fund office, all required Fund documents, including collective bargaining agreements, and copies of documents filed by the Fund with the U.S. Department of Labor, such as detailed annual reports and descriptions.
- Obtain copies of all required Fund documents and any other Fund information by writing to the Plan Administrator. The Plan Administrator can charge a reasonable cost for copies.
- Receive a summary of the Fund's Annual Financial Report. The Plan Administrator is required by law to provide each member with a copy of the Summary Annual Report. Union and Fund periodicals may be used for this purpose.

Fiduciary Responsibility

In addition to creating rights for Fund members, ERISA imposes duties on the people responsible for operating the Fund, called fiduciaries.

The fiduciaries have a responsibility to operate the Fund prudently and in the interest of all Fund members and eligible dependents.

No one, including your Employer or any other person, may fire you or discriminate against you in any way to prevent you from obtaining a benefit from this Fund or from otherwise exercising your rights under ERISA.

If your request for benefits is entirely or partially denied:

You have the right to have the Fund review and reconsider your request, using the appeals procedure outlined on page 26 of this SPD.

Enforcing Your Rights

Under ERISA, there are steps you can take to enforce your rights:

If you request required documents from the Plan Administrator and you do not receive them within 30 days, you may file suit in federal court.

In this case, the court may require the Plan Administrator to provide the documents, unless the documents were not sent because of reasons beyond the control of the Plan Administrator.

If your request for benefits is entirely or partially denied or ignored, you may file suit in a state or federal court, after you have completed the appeals procedure (see page 26), if you believe that the decision against you is arbitrary and capricious.

If it should happen that the Fund's fiduciaries misuse the Fund's money, or if you are discriminated against for asserting your rights, you may get help 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 that you be paid these costs and fees. If you lose, the court may require you to pay these costs and fees (for example, if it finds your claim is frivolous).

If you have questions about the Plan, you should contact the Trustees or Plan Administrator in care of the Fund. If you have any questions about this statement or about your rights under ERISA, you should contact the nearest office of the Pension and Welfare Benefits Administration, U.S. Department of Labor, listed in your telephone directory, or the Division of Technical Assistance and Inquiries, Pension and Welfare Benefit Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, DC 20210.

PLAN AMENDMENT, MODIFICATION AND TERMINATION

The Plan Administrator reserves the right, within its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of this Plan or SPD (including any related documents and underlying policies), at any time and for any reason, by action of the Board of Trustees, or any duly authorized designee of the Board of Trustees, in such manner as may be duly authorized by the Board of Trustees. Neither you nor any other person have or will have a vested or non-forfeitable right to receive benefits under the Fund.

INFORMATION ON YOUR PLAN

Name of the Plan

1199SEIU/Employer Child Care Fund

Type of Plan

Taft-Hartley (Union-Employer) Jointly-Trusteed Employee Welfare Benefit Fund

Address

Headquarters:

330 West 42nd Street, 32nd Floor
New York, NY 10036-6977

Source of Income

Payments are made to the Fund by Contributing Employers according to the collective bargaining agreements with 1199SEIU United Healthcare Workers East and The League of Voluntary Hospitals and Homes of New York.

Employers' contribution rates are set forth in the applicable collective bargaining agreements. They are estimated to adequately meet the anticipated cost of requests for benefits and administration.

You may get a copy of any collective bargaining agreement by writing to the Plan Administrator or by examining a copy at the Fund office.

You can find out if a particular employer or employee organization is a sponsor of the Fund by writing to the Fund office. The address of the sponsor will also be given.

Accumulation of Assets

The Fund's resources are held in various financial institutions to pay benefits and expenses. Assets are also invested in appropriate investment sources which may be invested by Investment Managers approved by the Plan Administrator to whom the Trustees delegate this fiduciary responsibility.

Plan Administration

The Fund is self-administered. The Trustees may be contacted using the following address:

c/o Executive Director
1199SEIU/Employer Child Care Fund
330 West 42nd Street, 32nd Floor
New York, NY 10036-6977
(212) 564-2220

Plan Year

The Fund's fiscal year is January 1 to December 31.

Fund Identification Number

13-3641466

Service of Legal Process

The Plan Administrator, the Fund's Trustees and the Fund's Legal Counsel are designated to receive service of legal papers on behalf of the Fund.

TRUSTEES

BOARD OF TRUSTEES	
Norma Amsterdam, RN Executive Vice President 1199SEIU RN Division*	Carol Hong Prison Health Services
Austin Bender Vice President Human Resources New York University Hospital for Joint Diseases	Kathleen A. Hopkins Director, Community Services Lutheran Medical Center
Maria Castaneda Secretary-Treasurer 1199SEIU*	Maria Kercado Vice President, 1199SEIU*
Jeffrey Cohen Vice President Labor Relations Mount Sinai Medical Center	John Lasky Senior Vice President Human Resources Brooklyn Hospital
Waldemar A. Comas, Esq. Associate Vice President Legal Affairs New York Medical College	Nerissa Madhoo-Chin Director, Labor and Employee Relations Human Resources Montefiore Medical Center
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George Gresham President, 1199SEIU* Union Co-Chair	Bruce McIver President League of Voluntary Hospitals and Homes of New York Management Co-Chair
* 1199SEIU United Healthcare Workers East	

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Suzanne Hepner, Esq. Counsel, Levy Ratner, PC Fund Co-Counsel	



SECTION V – DEFINITIONS

DEFINITIONS

Budget Groups

A commingled group of employers as defined by the collective bargaining agreement.

Contributing Employer

(1) An employer who is represented by the collective bargaining agreement between 1199SEIU United Healthcare Workers East, or one of their affiliates, which provides for regular monthly payments to the Fund in an amount acceptable to the Trustees on behalf of the employees covered by the agreement, and who has commenced payments to the Fund. (2) 1199SEIU United Healthcare Workers East, their affiliates, the Fund and its affiliated and related Funds, or any other employer accepted as a contributor by the Trustees, that are obligated to make regular monthly payments as specified in a participation agreement on behalf of its employees.

Executive Director

The Executive Director is the person who has been authorized by the Board of Trustees to administer, apply and interpret the Plan on a day-to-day basis.

Full-time

The number of hours worked in a normal, regular work week set forth in the applicable Union contract. Overtime is not included.

Fund

The 1199SEIU/Employer Child Care Fund whose principal office is located at 330 West 42nd Street in New York City.

Local Committee

Labor-Management Child Care Committee with authority to aid in the registration process on a local level.

Member

An employee who is working in a bargaining unit for which the Employer contributes to the 1199SEIU/Employer Child Care Fund.

Part-time

An employee who is regularly scheduled to work a number of hours per week which is less than the number of hours stipulated in the applicable Union contract for full-time employees performing the same work.

Plan

The benefits and rules and regulations pertaining thereto for the various levels of benefits as adopted and interpreted by the Trustees and the official documents, such as the Trust Agreement, addendum to the registration materials, and this booklet, including its preface, in which they are described.

Plan Administrator

As used in this booklet shall mean the Board of Trustees and any individual, such as the Executive Director, duly designated by the Trustees to carry out administrative functions.

Spouse

The person to whom a member is legally married.

Trust Agreement

The Agreement and Declaration of Trust entered into between the Union and Contributing Employers establishing the Fund.

[illegible]

[illegible]

[illegible]



1199SEIU/Employer Child Care Fund
330 West 42nd Street, 32nd Floor
New York, NY 10036-6977
(212) 564-2220
www.1199SEIUBenefits.org



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