



**NOTICE REGARDING WORKING OWNERS
EFFECTIVE APRIL 1, 2007**

The Restated Employees Benefit Agreement for the National Electrical Benefit Fund (NEBF) requires covered employers to contribute on every employee working under the collective bargaining agreement. Contributions on behalf of employees outside of the bargaining unit are only permitted if the employer has a participation agreement with the NEBF. The NEBF has become aware, however, that some employers have made contributions on behalf of owners of the company without a participation agreement. The employers claim that these owners are working with the tools and are eligible for coverage because they are performing bargaining unit work. The NEBF has previously been willing to let the local parties determine whether working owners can be treated as bargaining unit employees. Increasingly, however, there are disputes at the local level as to the coverage of owners and there has been confusion as to the amount of contributions required. The Trustees wish to clarify how coverage of working owners will be treated effective **April 1, 2007**.

Effective **April 1, 2007**, the NEBF will only accept contributions on behalf of owners or businesses if there is an explicit provision in the collective bargaining agreement permitting the owner to perform bargaining unit work or if there is a participation agreement between the employer and the NEBF. The collective bargaining agreement provision recognizing the right of an owner to perform bargaining unit work must be contained in the body of the agreement or in an attached amendment to the agreement. A copy of the collective bargaining agreement and employer's letter of assent (if applicable), must be provided to the NEBF before contributions will be accepted on or after the date specified above. The NEBF will also recognize organizing agreement provisions that specify the right of the owner to perform collective bargaining work. If that right, however, is limited in time, the NEBF will only accept contributions for the length of time specified in the agreement.

If an owner performs bargaining unit work under an explicit working owner provision in a collective bargaining agreement, contributions on behalf of that working owner are owed to the NEBF based upon the greater of (a) 3% of the owner's gross pay or (b) 3% of the prevailing journeyman wage rate multiplied by the normal straight time hours provided for in the collective bargaining agreement.