



EMPLOYER CONTRIBUTIONS – REFUND POLICY

- 1.) The individual employer will be required to submit a letter or other written statement setting forth the details of the alleged erroneous payment, including an explanation of how the error occurred. Such statement, wherever practical, shall be made under penalty of perjury and shall be signed in California.
- 2.) The refund of Pension and Annuity contributions will have no limitation; provided that if any Pension or Annuity benefits were in fact paid on the basis of such contributions, the total amount of such benefits shall be offset against the contributions, in which case demand will be made upon the employer for any excess.
- 3.) The refund of Health and Welfare contributions shall be limited to contributions paid within two months prior to the date the request for refund is received. The refund period may be extended up to 1 year if eligibility was not perfected and no insurance premiums have been paid on behalf of the employee.
- 4.) The refund of Training and Retraining contributions shall be limited to contributions paid within one year prior to the date the request for refund is received.
- 5.) The refund of Vacation contributions will be made only to the extent that money erroneously contributed to the Vacation Fund has not yet been paid out to the employees.
- 6.) If the claim is for the refund of Health and Welfare contributions, the amount of any benefit payments made as a result of the erroneous contributions will be deducted from the amount erroneously contributed, and only the excess, if any, will be refunded to the individual employer.
- 7.) If benefit payments by the Health and Welfare Fund as a result of the erroneous contributions exceed the amount due as a refund of Health and Welfare contributions, before any refund is made, the question as to whether or not any amount received from the employer as erroneous Pension, Vacation, or Training and Retraining contributions may be applied to the reimbursement of the Health and Welfare Fund for the amount of such excess will be referred to Co-Counsel for review and report to the Board of Trustees.
- 8.) The above refund policy will apply in cases where an erroneous payment is discovered as a result of an audit of the individual employer's records.