THE NEW YORK HOTEL TRADES COUNCIL
TRAINING & SCHOLARSHIP FUND
THE HOTEL ASSOCIATION OF NEW YORK CITY, INC.

43-47 37th Street • Long Island City, NY 11101 • (718) 361-5100, ext. 3600 • Fax (718) 361-8511 • www.HotelFunds.org

Dear Member:

As Trustees of the Training and Scholarship Fund, we are pleased to present you with this booklet describing your valuable benefits. Whether you are enrolling in classes with the Training Program or your dependent is applying to compete for an award through our college Scholarship Program, you will find these benefits to be great assets for your entire family.

The courses offered through the Training Program are intended to give members whose employers make contractual contributions to this program, the opportunity to advance their job skills and/or learn the necessary skills for another position in the hotel industry.

The Scholarship Program offers dependent children of members whose employers make contractual contributions to the Scholarship Program, the opportunity to compete for financial assistance to further their education at a four-year (4-year) college or university of their choice.

Please keep this booklet in a safe, easy-to-find place for future reference. Members are advised of new developments in both the Training Program and Scholarship Program through the Hotel Voice newspaper, which each member receives at home.

You are encouraged to contact or visit the Training and Scholarship Fund Office at any time to find out if you are eligible for benefits, to pick up applications for courses or the scholarship competition. Fund staff will be happy to provide you with information and assistance.

Sincerely,

Board of Trustees

TABLE OF CONTENTS

BOARD OF TRUSTEES 3
ADMINISTRATION OF THE FUND 5
What is the Role of the Board of Trustees? 5
Who Directs the Fund? 5
How Does the Training Program Relate to the Scholarship Program? 5
THE TRAINING PROGRAM 6
When Did the Training Program Begin? 6
How Is the Program Funded? 6
What Courses Are Available? 6
Why Do Members Take Classes? 6
Who Is Eligible to Take Classes? 7
What Are the Special Requirements for the Banquet Server Course and Certification? 7
When Are Classes Available? 8
Who Are the Instructors? 8
Where Are Classes Held? 8
What Are the Assessment and Attendance Policies? 8
THE SCHOLARSHIP PROGRAM 9
When Did the Scholarship Program Begin? 9
How Is the Scholarship Program Funded? 9
Who May Compete for a Scholarship? 9
How Does A Dependent Child Enter the Scholarship Competition? 9
How Are the Scholarship Winners Selected? 9
How Many Scholarships Are Awarded? 9
What Is the Value of the Scholarship? 10
Are the Winners Required to Maintain a Certain Grade Point Average? 10
What Happens if a Winner Finishes College in Three Years or Attends a two-year school for a period of time? 10
Are Scholarship Winners Permitted to Take Leaves of Absence? 10
Does the Scholarship Program Maintain Correspondence with the Winners? 10
RIGHTS UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA) 11
Receive Information About the Plan and Benefits 11
Prudent Actions bv Plan Fiduciaries 11
Enforce Members' Right 11
Assistance with Members' Questions 11

BOARD OF TRUSTEES

OTHER IMPORTANT INFORMATION

The following will help members properly identify the Plan if they have any questions about their benefits:

Official Name of Plan	The New York Hotel Trades Council & Hotel Association of New York City, Inc. Training and Scholarship Fund
Sponsor Name and Address	Board of Trustees The New York Hotel Trades Council & Hotel Association of New York City, Inc. Training and Scholarship Fund 43-47 37th Street, LIC, NY 11101
Sponsor Identification Number (EIN) assigned by the Internal Revenue Service	13-6300270 501(c) 3
Plan Number	Welfare Benefits Plan
Type of Plan	Board of Trustees
Plan Administrator	The New York Hotel Trades Council & Hotel Association of York City, Inc. Training and Scholarship Fund 43-47 37th Street, LIC, NY 11101 (718) 361-5100, Ext. 3600
Type of Administration	Jointly trusteed administration consisting of Union and Employer representatives
Agent for Service of Legal Process	Dr. David Jacobson, Chief Executive Officer The New York Hotel Trades Council & Hotel Association of New York City, Inc. Training and Scholarship Fund 305 West 44th Street, 3rd Floor, NY, NY 10036 (Service of legal process may also be made upon any of the Plan Trustees)
Plan Year	January 1 - December 31
Source of Contributions	Employers in accordance with collective bargaining agreements with the Union. Additionally, in the case of the Training Program, the Consortium for Worker Education through the NY State Department of Education

We hope this booklet describing the Training and Scholarship Fund is helpful. All members may request a listing of all employers contributing to the Training and Scholarship Fund or request information on whether a specific employer makes contributions to the Fund. For any additional information, or to ask any questions, feel free to contact the Fund office for assistance.

This booklet is a summary of the plan, and is not intended to have any legal effect. Nothing in this booklet is meant to interpret, extend or change in any way the provisions expressed in the official Plan. To the extent that any of the information contained in this booklet conflicts with the official Plan documents, the official Plan documents will prevail and govern in all cases. The Trustees reserve the right to amend, modify or discontinue all or part of this Plan whenever, in their judgment, conditions so warrant.

ADMINISTRATION OF THE FUND

<u>What is the Role of the Board of Trustees?</u>

The Training & Scholarship Fund is administered by an unpaid Board of Trustees, comprised of an equal number of Trustees representing contributing employers in the Hotel Association of New York City, Inc. ("the Employer") and representing unions in the New York Hotel Trades Council ("the Union"). The Board of Trustees has the ultimate authority and bears the responsibility to make decisions on matters regarding the Training and Scholarship Fund and its programs. Trustee meetings are held at least twice each year to review the current status of both programs and the Fund's finances. The Trustees review issues and if deemed appropriate, enact any changes that need to be instituted. The Trustees reserve the right to adopt or amend the official rules, regulations, and policies regarding both programs at any time.

<u>Who Directs the Fund?</u>

The day-to-day administration of the Fund is the responsibility of the Fund Director with the assistance of a dedicated staff.

An impartial Selection Committee made up of college and university professionals selects the winners of the annual scholarship awards.

<u>How Does the Training Program Relate to the Scholarship Program?</u>

The Training Program and the Scholarship Program are both part of a single Fund. They share the same Fund Office, Office staff and Board of Trustees, but they are separate benefit programs. Participation in one program does not guarantee eligibility nor acceptance in the other. The collective bargaining agreement between the Union and the Employer dictates whether a hotel, club or concession contributes to one or both programs. Employers make separate contributions to fund each program. These monies are invested and dispensed separately.

The Training and Scholarship Fund is an equal opportunity program. It serves members and/or their dependents of any race, color, national and ethnic origin with all the rights, privileges, programs, and activities generally accorded or made available to members through the Training Program and/or the Scholarship Program. It does not discriminate on the basis of race, color, religion, creed, sex, or national and ethnic origin in administration of its program policies, eligibility policies, and other Fund-administered programs.

THE TRAINING PROGRAM

When Did the Training Program Begin?

The Training Program began in 1969 through the joint efforts of the Employers and the Union. It was created in response to the growing need for better-educated employees within the workplace and to encourage worker advancement. The Training Program began with only a few classes in remedial education. It was later expanded to include job related training.

Today, the Training Program remains committed to educating members and promoting and encouraging advancement in the workplace.

How Is the Program Funded?

Absolutely no member contributions are required to run and operate the Training Program. The program is financed by employers (i.e., hotels, clubs and concessions) whose collective bargaining agreement with the Union requires them to make contributions to the Training Program, on behalf of their bargaining unit employees. The amount of these contributions is determined by the terms of the bargaining agreement. In addition to employer contributions, the Training Program obtains city and state funding. Much of the city and state funding is made possible through the efforts of the Consortium for Worker Education (CWE), a non-profit organization comprised of labor unions and benefit fund training programs. CWE works to further legislation that promotes expanded employee education. The Training Program was one of the seven (7) founding programs of CWE.

What Courses Are Available?

The following courses are regularly offered through the Training Program:

- Tournant (Food Preparation)
- A la Carte Server
- Banquet Server
- Computer Skills
- Plumbing Mechanic
- Boiler Mechanic
- Electrical Mechanic
- A/C & Refrigeration Mechanics

Members who need to study English as a Second Language (ESL), or who wish to prepare for their High School Equivalency Diploma (GED), are referred to local agencies convenient to their homes, including the NYC Board of Education and local libraries.

The Board of Trustees of the Fund appoints a curriculum development subcommittee from time to time, to research, design and develop new course offerings. All new courses are announced in the Hotel Voice newspaper. Members may obtain a list of available course offerings at any time from the Fund Office.

Why Do Members Take Classes?

Some members may be planning to change jobs within the hotel industry and wish to enroll in classes to learn new skills. Others may wish to remain in their chosen specialty, but would like to improve their current expertise and enhance their chances of promotion. From the course outlines, members may choose whichever Training Program classes they believe will help them achieve their goals. The Training Program has successfully assisted hundreds of members and credits a great deal of this success to members' enthusiasm, desire to learn and willingness to take on additional responsibilities.

<u>Who Is Eligible to Take Classes?</u>
Classes are available to all active and eligible bargaining unit employees currently working in hotels, clubs or concessions that are obligated to contribute to the Training Program. Members must be employed in one of these hotels, clubs or concessions for at least nine (9) months with a minimum number of hours worked in each month to enroll in most classes. (Special eligibility requirements for the Banquet Server course and certification are noted below.)

Spouses and dependents of these active members, as well as pensioners and their dependents, are not eligible for classes offered by the Training Program, but they may be referred by the Training Program staff for ESL or GED classes available at a local agency convenient to their homes.

If a member is out of work because of worker's compensation, disability, or a pending arbitration, they will not be eligible to attend classes at ITP after more than 30 days from their last day of employment. *(NOTE: This is being reviewed by the attorneys. It may be changed to reflect the same period of time that other benefits are extended under these circumstances.)*

The Training & Scholarship Fund office is open Monday through Friday from 7:30 am to 7:00 pm. The office is located on 37th Street just off the corner of Queens Boulevard and right around the corner from the Queens Health Center.

The Training & Scholarship Fund Office
43-47 37th Street
Long Island City, NY 11101
Telephone # (718) 361-5100, extension 3600
Fax # (718) 361-8511

Applications are available throughout the year. Applications are accepted without regard to age, race, creed, color, previous education, sex, sexual preference, handicap, geographic residence or national origin.

Although an employee's supervisor may suggest that an employee participate in the Training Program, supervisory approval or employer recommendations are not required.

<u>What Are the Special Requirements for the Banquet Server Course and Certification?</u>
<u>Automatic Certification</u>
If a member is a banquet server and is on a current A or B banquet server list at a contributing hotel, club or concession (or, if s/he is on a current Roll Call list), s/he may qualify for automatic Banquet Server certification if s/he has been working under these conditions for at least (12) twelve months. This member will not be required to take the Banquet Server course.
<u>Practical Skills Demonstration Test only for certification</u>
If a member is a food server and is, or *is not*, currently working, but has worked as a food server for at least (12) twelve of the last (60) sixty months at a contributing hotel, club or concession, s/he qualifies to take the practical skills demonstration test for Banquet Server certification. S/he will receive a Study Guide prior to being scheduled for the test. If the member does not pass the practical demonstration test, s/he may enroll in the Banquet Server course upon meeting the eligibility requirements for the course.
<u>Completion of Banquet Server course requirements for certification</u>
If a member works in any covered job category other than food server or banquet server, s/he will qualify to enroll in the Banquet Server course if s/he is currently working at a contributing hotel, concession or club and has worked for at least (12) twelve months under these conditions. Upon completion of the course work and passing the practical skills demonstration test, s/he will be certified as a Banquet Server.

When Are Classes Available?

Classes are offered throughout the year. Classes are typically scheduled to accommodate most members' work schedules. When a class is filled to maximum capacity, it is closed and members may register for a different course or wait until the next time that particular course is offered. The Training Program makes every effort to offer classes often thereby causing minimal wait time for members.

Who Are the Instructors?

The Trustees are proud of the instruction given through the Training Program. Instructors are chosen for their industry experience, vast knowledge of the course subject matter and their ability to effectively respond to the learning styles of adult students. Instructors are responsible for reporting to the Fund Director all student-related information, including attendance and regular assessments. The Fund Director frequently audits classes and confers with the instructional staff to ensure that the Program's mission and standards, set by the Fund Trustees, are maintained. The course curriculum is reviewed regularly so that the material is current and remains relevant to the industry requirements.

Where Are Classes Held?

The Training Program classes are conducted at the Training Center, which opened its doors to members for the first time on October 31, 2007. The Training Center is located at 43-47 37^{th} Street, Long Island City, NY 11101, ~~at~~ off the corner of Queens Boulevard and right around the corner from the Queens Health Center

What Are the Assessment and Attendance Policies?

Most classes require written assignments to be completed both in and out of the classroom. Students take regular tests and/or quizzes throughout the class cycle as well as a final exam. Students who successfully complete the course requirements will be issued a Certificate of Completion from the Industry Training Program. Upon completion of certain Engineering Department courses, students will be eligible to take the corresponding state or city licensing exams. Those who finish a Training Program course but do not meet the course requirements for certification should not be discouraged. They are counseled and encouraged to repeat the course.

Members are responsible for submitting a refundable deposit when they officially register for class. This deposit is refunded at the end of the class if the member has completed the mandatory attendance requirement.

A member who is absent more times than permitted, or who otherwise wishes to officially withdraw from the class, may receive a refund check, only if proof of one the following is submitted to the Fund Office:

- Change in work schedule that prevents meeting mandatory attendance requirements
- An extended illness or accident
- Jury duty

THE SCHOLARSHIP PROGRAM

When Did the Scholarship Program Begin?

The Scholarship Program was created in 1985 through the joint effort of the Employers and the Union. Contributions to the program began in 1986 and the first scholarships were awarded in 1987. The program was instituted because of the rising cost of college and university tuition. The scholarship competition awards a limited number of scholarships each year to reward students who have worked hard in school and encourage them to continue to strive for excellence.

How Is the Scholarship Program Funded?

The Scholarship Program is financed by those employers whose collective bargaining agreement with the Union requires them to make contributions to the Scholarship Program on behalf of their bargaining unit employees. The amount of the required monthly contributions is set by the terms of the collective bargaining agreement.

Who May Compete for a Scholarship?

Dependents who wish to compete for a college scholarship must meet all the following eligibility requirements. The dependent's parent or legal guardian must be both: (1) currently working for a hotel, concession or c1ub that contributes to the Scholarship Fund, and (2) have worked at least 56 hours per month and at least one thousand (1,000) hours per year for at least sixty (60) current and consecutive months for a hotel, concession or c1ub that contributes to the Scholarship Fund.

- The dependent must be registered for benefits as a dependent of the member.
- The dependent must be a high school senior planning to attend an accredited four-year (4-year) college or university in the fall of the application year.

In addition, if funds are available in a given year in the "Club Endowment Account," children of club employees may receive scholarship awards from this account. Their parent or legal guardian needs only *one (1)* year of current and consecutive bargaining unit membership and employment with at least 56 hours per month and at least one thousand (1,000) hours per year at a participating club to make them eligible. The "Club Endowment Account" is a special account in the Scholarship Fund that was setup when the Club Employees Pension Fund was terminated.

How Does A Dependent Child Enter the Scholarship Competition?

Rules and information about the program are announced in the Hotel Voice newspaper, which is mailed to the members' homes each week. Members may pick up applications in person at the Training & Scholarship Fund Office located at 43-47 37th Street, Long Island City, NY 11101, off the corner of Queens Boulevard and right around the corner from the Queens Health Center. Members may also call the Fund Office at (718) 361-5100, extension 3600, to request one by mail. Each year the competition opens on January 15th (or the closest Monday to that date). Completed applications are accepted until April 1st. Applicants are encouraged to return their completed applications as early as possible.

How Are the Scholarship Winners Selected?

The Chairperson of the Scholarship Selection Committee reviews all the applications and chooses the competition finalists. The full committee then interviews each finalist and chooses the winners. Selection of the scholarship award winners is based on academic ability, character, goals, future promise, seriousness of purpose and financial need. Winners and non-winners are notified immediately following the decision of the Scholarship Selection Committee. Scholarship certificates are distributed at the annual Awards Ceremony and Luncheon, which takes place in June.

How Many Scholarships Are Awarded?

The number of dependents to be awarded scholarships varies from year to year, based upon the current and projected financial status of the Trust Fund. The Fund must have sufficient funds to make a four-year (4-year) commitment to each scholarship winner. Each year, the Scholarship Program office receives approximately two hundred (200) applications. Of these applications, anywhere from twenty (20) to thirty (30) scholarships are awarded.

What Is the Value of the Scholarship?

Each scholarship totals twelve thousand dollars ($12,000), distributed in three thousand dollar ($3,000) increments over the four (4) years of a winner's college education. Payments are made directly to the winner and may be used towards tuition, room and board, books, supplies, or any other education expenses. The student may attend any accredited four-year (4-year) college or university, whether public or private, in or outside of New York State. If a student decides to transfer to a different school, the scholarship will continue to be in effect, provided the new school is also an accredited four-year (4-year) college or university.

Are the Winners Required to Maintain a Certain Grade Point Average?

Students awarded scholarships are expected to work up to their potential. No pressure is placed upon the student to maintain a specific grade point average. Students are free to choose any major or course of study they desire. Every year, scholarship winners must submit proof of enrollment as a full-time student in an accredited four-year (4-year) college or university in the form of an original bursar's or registrar’s receipt that shows enrollment verification with no balance due, or a statement on school letterhead (with the school seal) confirming that the student is enrolled on a full-time basis for that school year.

What Happens if a Winner Finishes College in Three Years or Attends a two-year school for a period of time?

Scholarship winners who enter college carrying 9 to 15 credits that they earned during their high school years, and who thereafter finish their undergraduate studies in three years instead of four, will receive three annual payments from the Scholarship Program. However, winners who complete four years of undergraduate studies in three years and have earned all credits required for graduation within that three year period because they have attended classes during the summers or have taken on an extended course load during the regular school year, will receive the fourth year’s allotment upon submitting their official final transcript to the Scholarship office.

If after winning this scholarship a winner does not attend a four-year college or university at any point in their undergraduate studies, but attends a two-year college instead, they will not receive their annual allotment until they re-enroll in a four a two-year college or university. If they attend a two-year college for more than two consecutive years, they will forfeit the balance of their award.

Are Scholarship Winners Permitted to Take Leaves of Absence?

Scholarship winners are expected to remain matriculated on a full-time basis at an accredited four-year (4year) college or university. A student who has been awarded a scholarship may delay attending college for one year, or take a one-year (1-year) leave of absence during college, and still retain the scholarship. This delay or leave is renewable for up to two (2) years. To renew, the student must apply to the Training & Scholarship Fund Office for an "Extension of Time to Receive Benefits," specify the reason(s) for the request, and attach supporting documentation. If the student fails to register in an accredited four-year (4-year) college or university following an extension, the student's scholarship award will be forfeited unless the student's failure to enroll is due to serious illness or military duty.

Does the Scholarship Program Maintain Correspondence with the Winners?

During the spring semester of their first year of college, winners receive a questionnaire from the Scholarship Program, asking them to comment on college life, their goals and the effect the scholarship award has had on their ability to attend college. Parents are also invited to comment on their feelings about their children's college experience. The Program reaches out to the winners again one year after they graduate from college to learn if they have maintained their career goal. Winners are invited to keep in touch with the Scholarship Program during college and after graduation. A recent Linkedin Group was established to give all former winners the opportunity to network with each other.

RIGHTS UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)

Members of the Training and Scholarship Fund are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all members shall be entitled to:

Receive Information About the Plan and Benefits

- Examine without charge (at the Fund Office and at all other specified locations, such as worksites and Union halls) all documents governing the Plan, including insurance contracts, collective bargaining agreements, and a copy of the latest annual report (Form 5500 series) filed by the Plan with the US Department of Labor, available at the Public Disclosure Room of the Pension and Welfare Benefits Administration.
- Obtain copies of all Plan documents and other Plan information upon written request to the Fund Office. The Plan Administrator may make a reasonable charge for the copies.
- Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each member with a copy of this summary annual report.

Prudent Actions bv Plan Fiduciaries

In addition to creating rights for Plan members, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit Plan. The people who operate the Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the interest of Plan members and beneficiaries. No one, including a member's employer, union, or any other person, may fire a member or otherwise discriminate against a member in any way to prevent members from obtaining a welfare benefit or exercising their rights under ERISA.

Enforce Members' Right

If a member's claim for a welfare benefit is denied in whole or in part, the member has 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, and must receive a written explanation of the reason for the denial.

Under ERISA, there are steps that can be taken to enforce the above rights. For instance, if a member requests a copy of Plan documents or the latest annual report materials from the Plan and does not receive them within 30 days, the member may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay the member up to $110 a day until the materials are received by the member, unless the materials were not sent/received because of reasons beyond the control of the Plan Administrator.

If a member has a claim for benefits that is denied or ignored, in whole or in part, the member may file suit in a state or federal court. If it should happen that Plan fiduciaries misuse the Plan's money, or if the member is discriminated against for asserting his/her rights, the member may seek assistance from the US Department of Labor, or may file suit in a federal court. The court will decide who should pay court costs and legal fees. If the member is successful, the court may order the person sued to pay these costs and fees. If the member loses, the court may order the member to pay these costs and fees if for example, it finds the member's claim is frivolous.

Assistance with Members' Questions

Members should contact the Plan Administrator with any questions regarding the Plan. If members have any questions about this statement or about their rights under ERISA, or if they need assistance in obtaining documents from the Plan Administrator, they should contact the nearest office of the Pension and Welfare Benefits Administration, US Department of Labor, listed in the telephone directory or the Division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, US Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. Members may obtain certain publications about their rights and responsibilities under ERISA by calling the publications hotline of the Pension and Welfare Benefits Administration.