

IMPORTANT INFORMATION ABOUT YOUR TRUST FUND CONTRIBUTIONS

Contribution reports and payments are due on or before the **15th of the month** following the month in which the hours were worked. Contributions will be considered **delinquent** if not **received** by the Trust Funds by the **last day of the month following the month in which the hours were worked**. **The postmark date is not used to determine timeliness of payment, it is your responsibility to mail your payments early enough so that they are received by the end of the month.** Contributions should be sent to:

District Council 16 Northern California Trust Fund
P.O. Box 4816
Hayward, CA 94540-4816

or

For overnight mail: (No Hand Deliveries)
DC 16 Trust Fund care of Fremont Bank
25151 Clawiter Road
Hayward, CA 94545
Attention: DC 16 Lockbox Dept.

FREQUENTLY ASKED QUESTIONS ABOUT TRUST FUND CONTRIBUTIONS

- ***How can I ensure that my employees have eligibility?***
To ensure that your employees have eligibility, we recommend you submit your contribution report and payment no later than the 20th of the month.
- ***What happens if my contributions are not received by the last day of the month?***
If your contributions are not timely received, you will be assessed *both* liquidated damages and interest. Liquidated damages are 10% of the reported contributions, with a \$150 minimum and a \$750 maximum. Liquidated damages *increase* to 20% if you are referred to Legal Counsel. Once that happens, you will also be responsible for the payment of attorney's fees and costs. Interest is always calculated at 5% per year, calculated from the due date until paid.
- ***How can I make sure that my contributions are received on time?***
If you are mailing them, make sure that you allow enough time so that they are *received* by the last day of the month. During the **holiday season**, we recommend you submit your contribution report and payment early to allow for any delays in mail delivery. The postmark date is not used to determine timeliness of contributions. You will be assessed liquidated damages and interest if your payments are late, even if it is due to delays in mail delivery or your business being closed for the holidays.
- ***What form should I use?***
The Trust Funds' Administrator asks that you use an **excel version** of the contribution report. The report can be found at <https://www.dc16trustfund.org> under the DC16 Employers tab. The report should be filled in on your computer (please do not handwrite) and submitted to the Administrator via encrypted email at dc16info@hsba.com . If you are not sure how to do this, or need a copy of the excel form, please contact the Trust Funds' Administrator at:
(800) 922-9902 - Option #2 (Employer Services)

- ***What happens if my contribution payment is going to be late?***

If you can't pay your contributions on time at least submit your report to the Fund Office for processing prior to the 20th. Contact the Trust Funds' Administrator *before the due date* at (800) 922-9902 or via email at dc16info@hsba.com and let them know. Payments received late will be assessed liquidated damages and interest.

- ***What happens if I send payment, but my check does not clear the bank?***

If your check does not clear the bank, you will be referred to Legal Counsel for collection. You will also be assessed liquidated damages and interest if the replacement payment was not timely. Once you are referred, you will be responsible for the payment of attorney's fees and costs. If you have three (3) checks that do not clear the bank in a twelve (12) month period, you will be referred to Legal Counsel and the Board of Trustees for further handling. You may be required to pay future contributions electronically.

- ***I paid my contributions, but not the liquidated damages and interest, now what?***

You are responsible for payment of both liquidated damages and interest on late payments. If you do not pay in response to a demand from the Trust Funds' Administrator, you will be referred to Legal Counsel. If you pay late three (3) months in a twelve (12) month period, the Board of Trustees may require that you pay future contributions electronically.

- ***I got a notice that I need to be audited by the Trust Funds, what do I do?***

Contact the Trust Funds' auditor to schedule your appointment, and provide the documents that they requested. The auditor will give you a general explanation as to their findings at the end of the audit, and you will have the opportunity to provide additional documents to them if necessary. When you receive your audit bill, submit payment as requested. If you fail to pay your audit when billed, you will be referred to Legal Counsel and will be responsible for the payment of attorney's fees and costs.

- ***What if I am referred to Legal Counsel? Is it too late?***

Of course not! The important thing is to contact Legal Counsel *as soon as possible*. Ignoring their letters, calls or emails will not make them go away and will only increase the amount that you owe to the Trust Funds. Even if a lawsuit is filed against you, they will still work with you on payment of all amounts due.