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**Board Certified Labor And Employment Law

OF COUNSEL:

LIBBY HERRERA-NAVARRETE, P.A.



PHILLIPS, RICHARD & RIND, P.A.
ATTORNEYS AT LAW

IUOE LOCAL 487 FRINGE BENEFIT TRUST FUNDS

Trustees' Report¹

Thursday, February 13, 2025

COLLECTIONS²

PCI Energy Services, LLC

Reference for service fees

The Administrators sent a demand letter on May 14, 2024 in the amount of \$5,151.89 for the late payment of the March 2024 contributions. Fund counsel's office sent a subsequent demand letter on July 29, 2024 via Certified Mail for the total amount of **\$5,461.89**, inclusive of attorney's fees in the amount of \$310. On August 8, 2024, administrators' office confirmed that payment hasn't been received from PCI Energy. Fund counsel's office sent a second demand letter on November 12, 2024 via electronic mail and Certified Mail for the total amount still outstanding. **On November 21, 2024, employer sent a letter requesting a waiver for the period, claiming unforeseen technical issues the resulted in the late remittance of the March 2024 contributions. Fund Counsel's office reviewed records and determined that PCI Energy Services is eligible for the waiver.**

M.J. Harrison Leasing, Inc.

Reference for service fees

On November 12, 2024, administrators sent a demand letter in the amount of \$4,432.92 for the late payment of the March 2024 contributions. On November 15, 2024, employer sent correspondence requesting a waiver for the period, claiming they were victims of fraud in their account. Fund Counsel's office reviewed records and determined that M.J. Harrison Leasing is eligible for the waiver.

¹ **Confidentiality:** The information contained in this report is intended for the use of the Trustees of the above-designated Funds. It is an attorney-client communication and, as such, is privileged and confidential. Review by anyone other than a designated Trustee is prohibited, as is dissemination, distribution or copying of this report.

² **Collection Policy:** Per the policy of this board, the threshold for collection of service fees is \$250. Waivers of service fees per the board policy are allowed if the following is requirements have been met: 1) Waivers are not granted automatically. Employers must show they qualify and are eligible for the waiver; 2) The Employer must be current in its contribution payments and must have timely made all other contribution payments within the last 12 months; 3) Waivers may only be granted once in a three (3) year rolling period upon request; 4) Waivers can only be granted for a two (2) month consecutive period within the three-year period; 5) All other fees remain due and owing and must be paid in full prior to the waiver of the fees; 6) Current economic conditions will be considered.

RANDOM SHOP AUDITS

On February 15, 2024, the administrators identified these five employers for random shop audit: 1) B & M Marine Construction, Inc., 2) Shoreline Foundation, Inc., 3) Maxim Crane Works, 4) Union Temp Service, Inc., and 5) R & S Concrete South, Inc. Correspondence dated March 21, 2024 was mailed to these employers advising of the payroll audit being conducted by Bellows Associates in accordance with the Agreement and Declaration of Trust and Collection Procedures.

On December 18, 2024, the Auditors provided their Independent Accountant's Report for the period from April 1, 2022 through March 31, 2024 performed on the above referenced employer, and they determined that these employers were in compliance with the accurate submission of fringe benefit contributions in accordance with the CBA.



PCI Energy Services LLC
1878 Joe Rogers, Jr. Boulevard
Manning, SC 29102

IUOE LOCAL 487

November 21, 2024

Leslie Iannuzzi
Executive Office Manager

Company No. XO775
Re: 10% Service Fee for late filing of contributions

We received the attached notice for delinquent filing of contributions for the reporting period of March 2024. Contributions for March's reporting period were postmarked 04/24/2024.

Due to unforeseen technical issues, we were late with remitting the payment for March.

We have an excellent track history of on-time payments and are not accustomed to late filings with any of our 100 plus vendors.

For that reason, I am asking for a one-time waiver of the service fees found in the attached memo.

Feel free to contact me at the number below.

Regena Coleman
Sr. Analyst, Payroll
864-622-2142
regena.coleman@westinghouse.com
www.westinghousenuclear.com



**International Union of Operating Engineers
Local 487 Fringe Benefit Funds**

911 Ridgebrook Road
Sparks, MD 21152-9451
Phone: 877-291-2387
www.associated-admin.com

May 14, 2024

**PCI ENERGY
1878 JOE RODGERS JR BLVD
MANNING, SC 29102**

**COMPANY NO. XO775
Re: 10% Service Fee for late filing of contributions**

Gentlemen:

Previously, we requested that you remit service fees for the untimely payment of contributions. As you know, the Collective Bargaining Agreement provides for a 10% service fee payable for each month the contribution is delinquent. Reports and contributions are due by the 15th of the month following the month in which the hours were worked and are delinquent after that date.

Our records indicate that your **March 2024** reports were postmarked on 4/24/2024; therefore, service fees in the amount of **\$5,151.89** are due.

Please remit the above amount payable to **OPERATING ENGINEERS LU 487 ESCROW ACCOUNT** and mail to:

Fund Office
IUOE 487 Fringe Benefit Funds
PO Box 1037
Sparks, MD 21152-1037

Since you failed to remit the service fees following our last request, this matter was referred to the Sub-Committee. The Sub-Committee has advised us to refer this matter to Fund Counsel for collection, unless the above amount is received within (10) days from the date of this letter.

If you should have any questions, please do not hesitate to contact our office.

Sincerely,

Irina Brover

**Irina Brover
For the Board of Trustees**

**cc: Mark Schaunaman, Business Manager
Kathleen M. Phillips, Esq**

FOR OFFICIAL USE ONLY

PAID AS OF:

CHECK#:

UNPAID AS OF:

WAIVED DATE:

From: Paul Harrison <paul@harrisoncrane.com>

Sent: Friday, November 15, 2024 10:44 AM

To: Jeff Ianniello <jeffi@associated-admin.com>; Mark Schaunaman <mark@iuoe487.org>

Subject: Re: RE: Harrison Crane Check Fraud

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, and know the content is safe.

Good Morning,

Please take a look at this bill I receiver from the fund. This is in conjunction with the fraud that we had on our account. Can you see if the adminstrators will waive the service fee?

Thank You for the Business!

Paul Harrison

Harrison Crane Service

2440 NW 37th Street

Miami, FL 33142

305-633-5228 Office

305-634-6936 Fax

paul@harrisoncrane.com



From: Jeff Ianniello <jeffi@associated-admin.com>

Sent: Wednesday, July 24, 2024 8:25 AM

To: Paul Harrison <paul@harrisoncrane.com>; Mark Schaunaman <mark@iuoe487.org>

Subject: RE: RE: Harrison Crane Check Fraud

Understood - thanks

From: Paul Harrison <paul@harrisoncrane.com>

Sent: Wednesday, July 24, 2024 6:11 AM

To: Mark Schaunaman <mark@iuoe487.org>; Jeff Ianniello <jeffi@associated-admin.com>

Subject: Re: RE: Harrison Crane Check Fraud

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, and know the content is safe.

Jeff,

Check # 25662 is the only one that was written to IUOE 487.

The other check was written to Kelly Tractor.

If you want to cross the other check out on your form that will be fine.

Thank You for your help!!!

Thank You for the Business!

Paul Harrison

Harrison Crane Service

2440 NW 37th Street

Miami, FL 33142

305-633-5228 Office

305-634-6936 Fax

paul@harrisoncrane.com



From: Mark Schaunaman <mark@iuoe487.org>

Sent: Tuesday, July 23, 2024 4:38 PM

To: Paul Harrison <paul@harrisoncrane.com>

Subject: Fwd: RE: Harrison Crane Check Fraud

Paul,

Here is the correspondence with our administrator. Do you have a copy of check 25678?

Thanks

Mark

Mark Schaunaman

Business Manager

International Union of Operating Engineers Local 487

President, AFL-CIO South Florida Building Trades Council

1425 NW 36 Street Miami, FL, 33142

Ph. 305-634-3419

[https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.iuoe487.org&umid=15ebe4f1-d2ca-4663-8f8b-280fb956e628&auth=3e9fd1bob643b08dab768dc9f1a24037dac84f41-](https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.iuoe487.org&umid=15ebe4f1-d2ca-4663-8f8b-280fb956e628&auth=3e9fd1bob643b08dab768dc9f1a24037dac84f41-6f8236efb686c70631287f4794d4632da02229f6)



6f8236efb686c70631287f4794d4632da02229f6

From: Jeff Ianniello <jeffi@associated-admin.com>

To: 'Mark Schaunaman' <mark@iuoe487.org>, Jeff Herron <jeffh@associated-admin.com>,

Kathy Phillips <kphillips@phillipsrichard.com>, Jeannette Linares

<jll@phillipsrichard.com>, Lana Malis <svetlanam@associated-admin.com>

Date: Tue, 23 Jul 2024 19:38:21 +0000

Subject: RE: Harrison Crane Check Fraud

Hi Mark,

We looked for check numbers 25662 and 25678, and neither came to us. While pictures of the original and fraudulent #25662 were included on the firm, I assume you were also looking at #25678, but no scans of that check were included.

Call with questions,

Jeff

From: Mark Schaunaman <mark@iuoe487.org>

Sent: Tuesday, July 23, 2024 9:53 AM

To: Jeff Ianniello <jeffi@associated-admin.com>; Jeff Herron <jeffh@associated-admin.com>; Kathy Phillips <kphillips@phillipsrichard.com>; Jeannette Linares <jll@phillipsrichard.com>; Lana Malis <svetlanam@associated-admin.com>

Subject: Fwd: Harrison Crane Check Fraud

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender, and know the content is safe.

Hi Jeff,

Please read the email below. Harrison Leasing has had a problem with Check fraud. They are asking us to sign and notarize the bank form and email it back to them.

I can sign and notarize it but I want to make sure you reviewed it first.

Regards,
Mark

Mark Schaunaman
Business Manager
International Union of Operating Engineers Local 487
President, AFL-CIO South Florida Building Trades Council
1425 NW 36 Street Miami, FL, 33142
Ph. 305-634-3419

[https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.iuoe487.org&umid=15ebe4f1-d2ca-4663-8f8b-280fb956e628&auth=3e9fd1bob643bo8dab768dc9f1a24037dac84f41-](https://smex-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=www.iuoe487.org&umid=15ebe4f1-d2ca-4663-8f8b-280fb956e628&auth=3e9fd1bob643bo8dab768dc9f1a24037dac84f41-6f8236efb686c70631287f4794d4632da02229f6)



6f8236efb686c70631287f4794d4632da02229f6

From: Paul Harrison <paul@harrisoncrane.com>

To: Mark Schaunaman <mark@iuoe487.org>

Date: Tue, 23 Jul 2024 13:17:10 +0000

Subject: Check Fraud

Mark,

I hope you have been well!

I had contacted you about the checks that I had stolen a few months ago.

Can you put in touch with who would handle the checks (A/R)?

My bank is asking me to have this form signed and notarized saying that you never received or cashed the attached check.

I appreciate your help. They are giving me 10 business days to get this back to them.

They need the hard copy mailed to them at
1000 Technology Drive, Mail Station 708 O'Fallon, MO 63368-2240

Thank You for the Business!

Paul Harrison

Harrison Crane Service

2440 NW 37th Street

Miami, FL 33142

305-633-5228 Office

305-634-6936 Fax

paul@harrisoncrane.com





**International Union of Operating Engineers
Local 487 Fringe Benefit Funds**

911 Ridgebrook Road
Sparks, MD 21152-9451
Phone: 877-291-2387
www.associated-admin.com

November 12, 2024

M.J. HARRISON LEASING INC
2440 NW 37TH ST
MIAMI, FL 33142-5364

XO2440

Re: 10% Service Fee for late filing of contributions

Gentlemen:

The Collective Bargaining Agreement provides for a 10% service fee payable for each month the contribution is delinquent. Reports and contributions are due by the 15th of the month following the month in which the hours were worked and are delinquent after that date.

Our records indicate that your March 2024 reports were postmarked on 11/6/2024; therefore, service fees in the amount of \$4,438.92 are due.

Please remit the above amount payable to **OPERATING ENGINEERS LU 487 ESCROW ACCOUNT** and mail to:

**Fund Office
IUOE 487 Fringe Benefit Funds
PO Box 1037
Sparks, MD 21152-1037**

If the above amount is not received within (10) days from the date of this letter, we will immediately refer this matter to the Collection Sub-Committee. Should the Sub-Committee be required to use the services of Fund Counsel to collect this amount, then you will be assessed additional attorneys fees and costs of collection, up to and including litigation, in accordance with the provisions of the plan.

If you should have any questions, please do not hesitate to contact our office.

Sincerely,

Irina Brover

Irina Brover
For the Board of Trustees

cc: Mr. Mark Schaunaman, Business Manager

FOR OFFICIAL USE ONLY

PAID AS OF: _____

CHECK#: _____

UNPAID AS OF: _____

WAIVED DATE: _____