



## IUOE LOCAL 487 FRINGE BENEFIT TRUST FUNDS

### Revised Trustees' Report<sup>1</sup>

Thursday, February 9, 2023

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### COLLECTIONS<sup>2</sup>

#### Zeiger Crane Rental

#### Referenced for service fees

The Administrators sent a demand letter on December 28, 2022 and a subsequent letter on January 23, 2023 for the unpaid service fees assessed for late payment of contributions for the period of December 2022. A collection letter was sent by the fund counsel on February 1, 2023 via Certified Mail for the total amount of \$3,552.66. On January 9, 2023, employer sent a letter requesting a waiver for the period, claiming technical issues with the accounting software and a delay in their receivables. After reviewing our records and the applicable collection policy<sup>2</sup>, it was determined that Zeiger Crane Rental does not qualify for the waiver of the November 2022 late fees, as a waiver had been previously granted for the period of March 2020 and waivers can only be granted once in a three (3) year rolling period.

### RANDOM SHOP AUDITS

On August 26, 2021, the administrators identified these six employers for random shop audit: 1) Bigge Crane & Rigging Company, 2) DLS Prestressed, Inc., 3) B&M Marine Construction, Inc., 4) BHI Specialty Services, 5) HJ Foundation Company, and 6) Malcolm Drilling Company, Inc. Correspondence dated September 20, 2021 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.

<sup>1</sup> **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.

<sup>2</sup> **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 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.

As previously reported, Bigge, DLS, B&M, BHI Specialty and HJ Foundation have been completed and determined to be in compliance.

**Last pending audit was completed for Malcolm Drilling Company. On November 29, 2022, the Auditors provided us with their report finding them to be in compliance as well.**

**On November 10, 2022, the administrators identified these five employers for random shop audit: 1) Sims Crane & Equipment, 2) Laney Directional Drilling, 3) PreCon Construction, 4) Williams Specialty Service, and 5) Zeiger Crane Rental. Correspondence dated November 21, 2022 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 February 3, 2023, the Auditors provided us with the following update:**

- **Sims Crane & Equipment – in progress**
- **Laney Directional Drilling – in progress**
- **PreCon Construction – in progress**
- **Williams Specialty Service – in progress**
- **Zeiger Crane Rental – in progress**

# **ZEIGER**

## **Crane Rental Inc.**

7241 Haverhill Business Parkway · Suite 101 · Riviera Beach, Florida 33407  
561-882-1550 Office - 561-882-1650 Fax

January 9, 2023

Operating Engineers 487 Escrow Account  
P.O. Box 1037  
Sparks, MD 21152-1037

**RE: November Dues Late Fee Letter received 01/05/23**

**To Whom It May Concern:**

We apologize for the recent delinquency in monthly contributions for November 2022. Our customers have paid slowly in December and were all behind because of the storms that hit the months before and the holiday. We were also having technical issues with our computers and Quickbooks once we did receive funding towards the end of the month. Because of this, we would like to ask for a waiver for the late fees that are currently owed by us.

Thank you in advance for your time and consideration.

Sincerely,



Jessica DeYoung  
Office Manager  
Zeiger Crane Rental

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OF COUNSEL:  
LIBBY HERRERA-NAVARRETE, P.A.  
PATRICIA IRELAND

August 25, 2020

**VIA U.S. REGULAR MAIL**

Steven R. Zeiger, President  
ZEIGER CRANE RENTAL, INC.  
7241 Haverhill Business Parkway, Suite 101  
Riviera Beach, FL 33407

Re: ***International Union of Operating Engineers Local 487 H&W Trust Fund,  
and South Florida Operating Engineers Apprentice and Training Fund***

Dear Mr. Zeiger:

This is to inform you that your request for a waiver of service fees for the late payment of Zeiger Crane Rental, Inc.'s March 2020 contributions in the total amount of \$2,692.01 was presented to the board of trustees for the above referenced trust funds. After review, the waiver was approved in accordance with the Audit and Collection Procedures of the Funds. You can forward your payment of \$250.00 in attorney's fees to our office. Thank you.

Very truly yours,



Kathleen M. Phillips

KMP/jl  
cc: Collection Committee  
Linda DuVall, CEBS  
Gary Dunkel, Esq. (gdunkel@foxrothschild.com)