

## Memorandum

To: Contributing Employers

From: SAG-AFTRA Health Plan

Date: April 1, 2018

Re: Required Reporting Obligations – Immediate Compliance Requested

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We are writing to remind you of your obligation to furnish Social Security Numbers and other identifying information for participants when submitting contributions to the SAG-AFTRA Health Fund per the terms of your collective bargaining agreement with SAG-AFTRA. As you know, the AFTRA Health Fund (“AFTRA Fund”) and the Screen Actors Guild-Producers Health Plan (“SAG Plan”) merged in 2017 to create the SAG-AFTRA Health Fund (the “Health Fund”).

Like the Trust Agreements of the AFTRA Fund and the SAG Plan, the Trust Agreement for the Health Fund, to which you are now bound, requires contributing employers to

“supply to the Health Fund in connection with regular remittance reports, audits or upon request of the Health Fund, such records, including but not limited to ... Participants’ names, addresses, Social Security numbers or taxpayer identification numbers, project title, engagement date(s), compensation, covered earnings, and, if the employer is signatory to the Commercials Collective Bargaining Agreement, the information required ... below, as are necessary for the Health Fund to allocate Employer contributions due or remitted on the covered Performer’s ... behalf and to determine the Covered Performer’s...eligibility for coverage and benefits under the Health Fund.”

The Trust Agreement goes on to state that

“[if an] Employer’s reporting is materially deficient due to failure to provide required data, the Board may impose on the Employer liquidated damages in the amount of ten percent (10%), or if the material deficiency continues for 60 or more days from the due date of the report, twenty percent (20%) of the contribution amount for each individual with respect to whom the data provided is materially deficient.”

The Health Fund requires enough information to identify unique individuals, including names, Social Security Numbers (or taxpayer identification numbers), and other information. Since the merger, several employers have failed to provide individual names and/or Social Security Numbers (or taxpayer identification numbers) to the Health Fund along with their contributions. This has caused the Health Fund to divert valuable resources to researching these individuals’ identities in order to assure ourselves that the correct individual is being credited with the contributions and is, thus, entitled to the benefits under the Health Fund.

Accordingly, we would like to remind you that it is imperative for you to provide the required information to the Health Fund for each performer along with the contributions that you submit. Failure to comply immediately with these reporting obligations under the Trust Agreement will trigger the Health Fund’s enforcement of the liquidated damages provision in accordance with the Trust Agreement quoted above.

Please contact us at (818) 973-4472 or [employercontributions@sagaftraplans.org](mailto:employercontributions@sagaftraplans.org) if you have any questions about this requirement.