

September 15, 1976

Dear :

Thank you for your letter dated September 2, 1975, requesting a ruling whether the Education and Training Trust Fund (Fund) of the (named) Union, Local # (Union) is an "employee welfare benefit plan" within the meaning of section 3(1) of the Employee Retirement Income Security Act of 1974 (ERISA). According to your letter, the plan is funded by collectively bargained employer contributions, and "offers a wide range of technical, educational and cultural courses designed to enrich the interest of the Plan's participating members and extend skills allied with his trade or industry". We regret we could not reply sooner.

Section 3(1) of the ERISA defines an employee welfare benefit plan as "any plan, fund, or program which was heretofore or is hereafter established or maintained by an employer or by an employee organization, or by both, to the extent that such plan, fund, or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, . . . apprenticeship or other training programs . . .". The Fund was established by the Union and provides training benefits to its members. It is not necessary that the Fund provide apprenticeship training or that the training necessarily be in connection with the employee's job. The Fund is an employee welfare plan within the meaning of section 3(1) of the ERISA and subject to all applicable provisions of Title I.

Sincerely,