

IUPAT Professionals Forum
Caesars Palace
Las Vegas, Nevada
December 12-13, 2021

AGENDA

Saturday, December 11, 2021

3:00 p.m. – 5:00 p.m.

Registration

5:30 p.m. – 7:00 p.m.

IUPAT Reception

Sunday, December 12, 2021

7:45 a.m. – 8:45 a.m.

Registration / Continental Breakfast

8:45 a.m. – 10:00 a.m.

GENERAL SESSION (US)

Best Practices for National Plans

SMART General President Joe Sellers and National Fund Administrator Lori Wood will provide best practices on a broad range of pension topics. SMART's formation of an index fund and their pioneering fee sharing approaches are two innovative examples of best practices. Joe and Lori will also discuss other private market funds that SMART is considering, along with how they take advantage of their size to leverage investment firms and hold them accountable.

Speakers:

Joe Sellers
General President
SMART

Lori Wood
Executive Director
Sheet Metal Workers' National Pension Fund

Moderator:

Terry Nelson
Special Assistant to the General President of IUPAT
Incoming Administrator, IUPAT Pension Fund

8:45 a.m. – 10:00 a.m.

GENERAL SESSION (Canada)

Canadian Case Law Review 2020-2021 and Cannabis Update

From COVID to cannabis, DC 39 Counsel Ray Mitchell will provide an update of federal and provincial developments affecting Canadian unions and employees.

Speakers:

Raymond A. Mitchell
Legal Counsel
IUPAT District Council 39

Robert Kucheran
General Vice President
International Union of Painters & Allied Trades

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10:15 a.m. – 11:30 a.m. **GENERAL SESSION (US)**

Biden Administration Regulatory Agenda – What will the next 4 years look like?

In this session you will hear from key officials about goals, objectives, and priorities of the new Administration related to issues impacting multiemployer plans and their sponsoring labor organizations. We will be privileged to hear from the Director of OLMS, the agency responsible for administering and enforcing the LMRDA, and the Deputy Assistant Secretary for National Operations of EBSA, the agency responsible for implementing the Department of Labor's goals and initiatives in these areas. You will leave with a better understanding of the regulatory and political landscape for the next 4 years.

Speakers:

Jeff Freund
Director of the Office of Labor-Management Standards
United States Department of Labor

Timothy Hauser
Deputy Assistant Secretary for National Office Operations
Employee Benefits Security Administration
United States Department of Labor

10:15 a.m. – 11:30 a.m. **GENERAL SESSION (Canada)**

IUPAT Pension Plan (Canada): An Update on Funding and Recent Developments

This session will review the actuarial funding position updated to 1 January 2021 and review recent developments in the multi-employer pension industry, as they affect our Plan. Topics include:

- Changes in legislation
- New standards of best practice
- What you need to know to communicate effectively with your members

Speaker:

Cameron McNeill
Senior Vice President and Canadian Business Leader
The Segal Company Ltd

11:30 a.m. – 1:00 p.m.

Lunch

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1:00 p.m. – 2:00 p.m.

CONCURRENT SESSIONS

Pension Plan Legislative and Regulatory Update

In the past year, there has been a flurry of activity relating to pension plans due to the pandemic and the urgency to address troubled multiemployer pensions. This session will provide an overview of recent pension legislative and regulatory activity including:

- American Rescue Plan Act
- ESG Investing
- SECURE Act and other supporting legislation due to the pandemic
- State initiatives

Speakers: Mariah M. Becker, MAAA, EA, ACA
 Director of Research and Education
 National Coordinating Committee of Multiemployer Plans

 Michael Kreps
 Principal, Co-Chair Retirement Services Practice
 Groom Law Group

Cybersecurity for Employee Benefit Plans

Cybersecurity breaches are grabbing the headlines daily. Employee Benefit Plans are not immune from the risk of a cyberattack. As plans grapple with recent DOL Guidance, this session will focus on:

- Fiduciary responsibility
- DOL Cybersecurity Guidance
- Role of Administrators, Trustees & Plan Professionals
- Cyber Insurance
- What to do if you a breach?
- Best Practices

Speakers: Rebecca L. Rakoski, Esquire
 Managing Partner
 XPAN Law Partners

 Brad Spiess
 Vice President
 Union Insurance Group

Moderator: Kathleen Jackson
 Partner
 Novak Francella, LLP

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Collections Roundtable

This interactive session will allow you to discuss key collections issues with legal counsel from various parts of the nation and the IUPAT Pension Fund Administrator including:

- Misclassification of employees
- Auditing
- Delinquency
- Withdrawal Liability

Speakers: Michael Ledbetter
 Partner
 Ledbetter Parisi LLC

 Michele R. Stafford, Esq.
 Partner
 Tucker Arensberg Attorneys LLP

 Dawn M. Costa
 Shareholder
 Jennings Sigmond P.C.

Moderator: Terry Nelson
 Special Assistant to the General President of IUPAT
 Incoming Administrator, IUPAT Pension Fund

Hot Topics in Administration

Coming out of the Pandemic there is no shortage of topics that Administrators need to be addressing. This session will address some of the key issues administrators are facing including:

- How COVID-19 impacted administrative operations
- Internal Controls in a remote environment
- Missing Participants
- Required Minimum Distributions
- Best Practices for Dealing with the DOL and IRS

Speakers: Lee Centrone
 Senior Vice President/Plan Manager
 BeneSys, Inc.

 James E. Schreiber
 President
 TIC International

Moderator: Adam Boston
 Chief Legal Officer
 IUPAT Pension Fund

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AGENDA

2:15 p.m. – 3:30 p.m.

Concurrent Sessions

How to Deal with Political Contributions

Local union approaches to political contributions across the country can be a complicated patchwork of federal and state rules and regulations. In this session, you will hear from Renata Strause, former Assistant General Counsel to the AFL-CIO, regarding common pitfalls and practices for handling hard and soft money.

Speaker: Renata Strause
Associate
Trister, Ross, Schadler & Gold, PLLC

Moderator: Joseph Kolick
General Counsel
International Union of Painters & Allied Trades

NLRB Wish List

The past 4 years have seen significant and negative developments in NLRB jurisprudence. This session will discuss those changes and hopefully assist in developing strategies toward a way back to previous longstanding precedent, but more importantly a way forward.

Speaker: Caren P. Sencer
Shareholder
Weinberg, Roger and Rosenfeld
Current issues for Apprenticeship

Moderator: Martin W. Milz
Spear Wilderman, P.C.

Apprenticeship Issues

Growing and expanding our apprenticeship programs for the 21st century is a principle goal of the IUPAT, our industry partners, and the Biden Administration. This session will address key legislative and regulatory developments in these areas and hopefully arm you with guidance to assist with challenging issues related to training, administration, and compliance as you strive to create and maintain industry leading programs.

Speakers: Jim Brewer
U.S. Legislative Representative
North America's Building Trades Unions

Andrew M. Siff
Principal
Siff & Associates

Anton P. Ruesing, V
Executive Director
International Finishing Trades Institute

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3:45 p.m. – 5:00 pm

The Marijuana Issue

This session will consider the unique challenges that unions, employers, and funds (especially apprenticeship programs) must deal with relating to Marijuana with a focus on:

- Federal vs. State Laws
- Medical vs. Recreational Use
- Prescribed use in safety sensitive environments.
- Drug Testing
- Measuring fit for duty
- What employers and funds can and should do

Speakers: Elizabeth E. Manzo
Shareholder
Lindabury, McCormick, Estabrook & Cooper, P.C.

James K. Estabrook
Shareholder
Lindabury, McCormick, Estabrook & Cooper, P.C.

Moderator: Martin W. Milz
Spear Wilderman, P.C.

5:30 p.m. – 7:00 p.m.

IUPAT Reception

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Monday, December 13, 2021

8:00 a.m. – 9:00 a.m.

Continental Breakfast

9:00 a.m. – 10:45 a.m.

GENERAL SESSION (US)

Investment Strategies, Market Update, and Investment Issues Impacting the Building Trades

This session will provide an overview of economic performance as we approach yearend. Discussion will focus on market performance and the issues trustees should be addressing. Topics include:

- 2021 Year end and outlook for 2022
- Inflation and Interest Rates
- Actuarial Assumptions
- Investment Strategy
- Modern Asset Allocation Trends
- ESG Investing
- Capital markets strategies
- Investment issues important to the building trades.

Speakers:

John M. Elliott
Partner
NEPC
Seth Almaliah
Senior Vice President
Segal Marco Advisors

Moderator:

Adam Boston
Chief Legal Officer
IUPAT Pension Fund

8:30 a.m. – 9:30 a.m.

GENERAL SESSION (Canada)

Translating Financial Statements

This session will provide the basics for understanding and digesting the entire Financial Statements Package, covering the following topics:

- Reading and understanding an Auditor's Report, Income Statements, Statements of Cashflow
- Understanding Accrual vs. Cash Accounting
- Reading and understanding the Notes to the Financial Statements

Speaker:

Rick Chittley-Young
Partner and Business Advisor
MNP

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9:45 a.m. – 10:45 a.m.

GENERAL SESSION (Canada)

Cyber Update

This session will tackle cyber security issues from a Canadian perspective, addressing:

- Best Practices
- Cyber Insurance
- How to respond to a breach
- Unite Project

Speakers: Kurt Meyers, IS Director
IUPAT

Rebecca L. Rakoski, Esquire
Managing Partner
XPAN Law Partners

11:00 a.m. – 12:00 p.m.

GENERAL SESSION (US)

Best Practices for Sharing Resources

While sharing resources between organizations such as a union and a benefit fund is common and efficient, it must be done with care. This session will address:

- What can be shared?
- How to Allocate Expenses
- Related Policies (travel, expense reimbursement, alcohol, cars, etc.)
- Best Practices

Speakers: David P. Dorsey, CPA
Partner
Withum

Kathleen Jackson, CPA
Partner
Novak Francella, LLP

Moderator: Warren J. Borish
Spear Wilderman, P.C.

12:00 p.m. – 1:00 p.m.

Lunch

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Weinberg, Roger and Rosenfeld
Current issues for Apprenticeship

Moderator: Martin W. Milz
Spear Wilderman, P.C.

Accounting and Auditing Update

This session will cover key accounting and auditing issues that professionals, administrators, officers, and Trustees representing construction industry labor organizations and their associated multiemployer benefit plans grapple with on a regular basis:

- Employee Benefit Plans (EBP) Reporting Standard
- Lease standard
- Payroll audits
- Statement on Auditing Standards (SAS) No. 136
- Quality Management Standard Exposure Draft.
- New Multiemployer Chapter in Audit Guide
- Change in Standard 606 on Revenue recognition of Initiation Fee

Speaker: Patrick Stines, CPA
Partner
Novak Francella, LLC