

MASON TENDERS' DISTRICT COUNCIL WELFARE FUND

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IMPORTANT NOTICE

To: Fund Participants

From: Board of Trustees
Mason Tenders' District Council Welfare Fund

Date: March 2023

This is a Summary of Material Modifications (“SMM” or “Notice”) intended to notify you of important updates to some of the rules of the Mason Tenders’ District Council Welfare Fund (the “Fund”), as well as a new benefit for pediatric dental sealants. The updates relate to: (i) eligibility for retiree health coverage, and (ii) eligibility credit for time receiving workers’ compensation, disability or family leave benefits. Please take the time to read this Notice carefully and keep it with your copy of the Fund’s Summary Plan Description (“SPD”).

Eligibility for Retiree Health Coverage After Returning to Covered Employment

The Fund’s rules have been clarified regarding eligibility for retiree health benefits for pensioners who return to Covered Employment after their initial retirement. (This rule applies to all covered groups other than employees of the Funds.)

Specifically, if you do *not* meet the Fund’s eligibility requirements for retiree health benefits when you retire *but you subsequently return to work in covered employment*, your eligibility for retiree health benefits will be re-determined by the Fund upon your re-retirement as if you were retiring for the first time.

As a reminder, in order to be eligible for retiree health benefits from the Fund upon your re-retirement, you must meet all of the following eligibility requirements:

1. You are a member of your applicable Local in good standing at the time of your re-retirement (and you continue to be a member of your applicable Local in good standing); **AND**
2. You were eligible for benefits from the Fund as an active employee during a cumulative total of at least seven (7) of the ten (10) years immediately before your re-retirement date; **AND**

3. You are a pensioner under the Mason Tenders' District Council Pension Fund, the LIUNA Staff and Affiliates Pension Fund or the LIUNA National Industrial Pension Fund and you had 20 or more years of credited service (as defined in that plan) when you re-retired.

Note: If you *were* eligible for retiree health benefits at the time of your initial retirement and later return to work in covered employment, no re-determination of your eligibility will occur upon your re-retirement and you will continue to be eligible for retiree health benefits upon your subsequent re-retirement.

As a reminder, covered retirees also are entitled to death and gravesite benefits.

Additional Credit Toward Eligibility for Coverage (for time receiving Workers' Compensation, Accident and Sickness, or New York Paid Family Leave benefits)

Effective November 1, 2021, for Participants to whom the Hourly Eligibility Rules Apply (700 or 1,000 Hours):

If you become disabled while covered under the Fund and you receive Workers' Compensation, Weekly Accident and Sickness Benefits, or New York State Paid Family Leave ("NYPFL") benefits through the Fund, you and your eligible Dependents will continue to be covered under the Fund until the end of the twelve-month coverage period in which you became entitled to those benefits.

For purposes of determining how long your eligibility for benefits will continue under the Fund *beyond that eligibility period*, you will receive credit under the Fund for forty (40) hours for each week (prorated for any incomplete weeks) that you received Workers' Compensation, Weekly Accident and Sickness, or NYPFL benefits, up to a maximum of 26 weeks per instance.

These hours will count for the eligibility period in which they occur, but in no event will more than 26 weeks of credit be granted in a single eligibility period. *Note: NYPFL benefits are provided by the Fund for a maximum of 12 weeks in a 52-week period in accordance with the New York law.*

Example 1

If you began receiving workers' compensation on September 12, 2022 for a period of 12 weeks (through December 4, 2022) while covered by the Fund, you will remain covered through the end of 2022 and you will receive a total of 480 hours of credit under the Fund (12 weeks x 40 hours = 480 hours). 280 of those hours (7 weeks) occurred during, and will be credited to the November 2021 – October 2022 eligibility period (for purposes of determining eligibility for coverage in 2023). The remaining 200 hours (5 weeks of credit) occurred during, and will be credited to, the November 2022 – October 2023 eligibility period (for determining eligibility for coverage in 2024).

Example 2

If you began receiving NYPFL benefits on February 13, 2023 for a period of 12 weeks (through May 7, 2023) while covered by the Fund, you will remain covered through the end of 2023 and you will receive a total of 480 hours of credit under the Fund (12 weeks x 40 hours = 480 hours). All 480 hours occurred during, and will be credited to, the November 2022 – October 2023 eligibility period (for purposes of determining eligibility for coverage in 2024).

If you then start receiving Weekly Accident and Sickness benefits on August 7, 2023 for a period of 26 weeks (through February 4, 2024), you still won't lose your coverage through the end of 2023 and you will receive an additional 1,040 hours of credit under the Fund (26 weeks x 40 hours = 1,040 hours). 485.7 of those hours (12 weeks and 1 day) occurred during, and will be credited to, the same November 2022 – October 2023 eligibility period (for purposes of determining eligibility for coverage in 2024). The remaining 554.3 hours (13 weeks and 6 days) occurred during, and will be credited to, the next eligibility period of November 2023 – October 2024 (for determining eligibility for coverage in 2025).

Example 3

If you began receiving workers' compensation on January 2, 2023 for a period of 8 weeks (through February 26, 2023) while covered by the Fund, you will remain covered through the end of 2023 and you will receive a total of 320 hours of credit under the Fund (8 weeks x 40 hours = 320 hours). All 320 hours occurred during, and will be credited to, the November 2022 – October 2023 eligibility period (for purposes of determining eligibility for coverage in 2024).

If you then start receiving Weekly Accident and Sickness benefits on April 15, 2023 for a period of 26 weeks (through October 13, 2023), you still will remain covered through the end of 2023 and you will receive an additional 720 hours of credit under the Fund (18 weeks x 40 hours = 720 hours) toward the same November 2022 – October 2023 eligibility period (for determining eligibility for coverage in 2024). However, since you are limited to a maximum of 26 weeks of credit in a single eligibility period (and already received credit for 26 weeks (8 weeks plus 18 weeks) as described above), the remaining 8 weeks of time receiving Weekly Accident and Sickness benefits (during the November 2022 – October 2023 eligibility period) are *not* credited to you under this rule.

As a reminder, when you are no longer eligible for benefits under the Fund according to the above rules, you and your covered dependents may elect to continue medical, dental and vision benefits on a self-pay basis for a temporary period of time in accordance with the federal COBRA law.

Pediatric Dental Sealants

The Board of Trustees is pleased to announce an additional benefit. Effective April 1, 2023, the Fund will begin to cover pediatric dental sealants for children aged 16 and under.

Sealants are a resin coating applied to the grooves of teeth to counteract decay and are considered an important preventative service. Pediatric dental sealants will be included in the Preventative Dental Services category of coverage (see page 47 of the SPD).

For eligible dependent children, sealant treatments are covered once every three years on permanent molars only. In-network providers will be covered 100% up to the annual maximum with no deductible. Out-of-network providers will be covered 90% up to the calendar year maximum with no deductible. For out-of-network providers, you must pay a 10% coinsurance per treatment.

The Board of Trustees is delighted to continue to improve benefits and coverage for Fund participants and their families. If there are any questions, please contact the Fund Office at (212) 452-9700.

This Notice is intended to provide you with an easy-to-understand description of certain important changes to the Fund's rules and benefits. While every effort has been made to make this description as complete and accurate as possible, this Notice, of course, cannot contain a full restatement of the terms and provisions of the plan. For a full description of your rights under the Fund, please refer to the plan documents (including the SPD). If any conflict should arise between this Notice and the plan documents, or if any point is not discussed in this Notice or is only partially discussed, the terms of the plan documents (including the SPD) will govern in all cases.

The Board of Trustees reserves the right, in its sole and absolute discretion, to amend, modify or terminate the Fund, or any benefits provided under the Fund, in whole or in part, at any time and for any reason, in accordance with the amendment procedures established under the plan and the trust agreement establishing the plan. The formal plan documents and trust agreement are available at the Fund Office and may be inspected by you during normal business hours. No individual other than the Board of Trustees (or its duly authorized designee) has any authority to interpret the plan documents, make any promises to you about benefits under the plan, or to change any provision of the plan. Only the Board of Trustees (or its duly authorized designee) has the exclusive right and power, in its sole and absolute discretion, to interpret the terms of the plan and decide all matters arising under the plan.