

**IRON WORKERS DISTRICT COUNCIL OF WESTERN NEW YORK AND VICINITY
WELFARE FUND**

**SUMMARY OF MATERIAL MODIFICATIONS
AND
NOTICE TO PARTICIPANTS**

(Plan No: 501; I.D. 16-0776208)

July 15, 2015

Dear Participant,

The following is a summary of important changes made to your Plan/Summary Plan Description. Please keep this with your Welfare Fund booklet. Please take a moment to carefully read the information below.

IMPACT Off the Job Accident Program

Effective January 1, 2015, The Trustees are pleased to announce that they have opted to participate in the Ironworker Management Progressive Action Cooperative Trust Off the Job Accident Program (“IMPACT Program”).

The IMPACT Program was developed to assist you with a short-term disability caused by an off the job accident. This program is administered by a separate organization but will coordinate with your current benefits from the Welfare Fund (the “Plan”). The amount of the benefit is the lesser of (1) \$800.00 or (2) 66.67% of weekly earnings. The program requires a one-week waiting period. Your benefit will commence on the eighth (8th) day of disability and is payable for a maximum of 6 weeks.

Your eligibility for the IMPACT benefit is based on eligibility for benefits under the Welfare Fund. The IMPACT Program benefit is subject to the terms, conditions, exclusions, and other rules that govern the program. For more information about the IMPACT program, please see the **enclosed brochure**, visit <http://www.impact-net.org/programs/off-the-job-accident/> or contact the administrator directly at:

Welfare & Pension Administrative Service, Inc.
P.O. Box 34203
Seattle, WA 98124-1203
(800) 331-6158

Changes to Your Weekly Non-Occupational Disability Benefits

In order to maximize the benefit available to you in the case of non-occupational injury or illness, the Trustees have made changes to the existing Weekly Non-Occupational Disability Benefits offered by the Plan.

Beginning January 1, 2015, your Weekly Non-Occupational Disability Benefit will become payable after a seven-week waiting period if you are also eligible for the IMPACT benefit (previously, the waiting period was one week). The reason for the longer waiting period is

because the IMPACT Program benefit, which is payable during this seven-week waiting period, is higher than the existing non-occupational disability benefit under the Plan, and the Plan will coordinate with the IMPACT Program to maximize your total benefit. We explain below how your Weekly Non-Occupational Disability Benefit will work.

The Plan pays you a weekly benefit for disability absences during which you are prevented from working as a result of a non-occupational accidental bodily injury or disease. You must submit proof of your disability from a Physician. If Your disability is verified by a Chiropractor, You must also show proof that You are receiving New York State Disability benefits.

If you are eligible for both IMPACT Program benefits and Weekly Non-Occupational Disability Benefits under this Plan, Your benefit from the Plan will commence on the fiftieth (50th) day of disability and is payable for a maximum of 20 weeks within a 52-week cycle, during any one period of disability. The disability absence must commence while coverage under the Plan is in force. The amount of Your weekly benefit is shown in the Schedule of Insurance Benefits on page 89 of your Summary Plan Description.

If You are not eligible for the IMPACT Program benefit, but are eligible for Weekly Non-Occupational Disability Benefits under this Plan, Your benefit will commence on the eighth (8th) day of disability and is payable for a maximum of 26 weeks within a 52-week cycle, during any one period of disability. The disability absence must commence while coverage under the Plan is in force. The amount of Your weekly benefit is shown in the Schedule of Insurance Benefits on page 89 of your Summary Plan Description.

Please also note that you will continue to earn eligibility credit for periods of disability for which you are receiving a benefit under the IMPACT Program in the same manner as you would have prior to these changes. See page 96 of your Summary Plan Description for more information about credit for periods of disability.

Grandfathered Status under the Affordable Care Act

The Iron Workers District Council of Western New York and Vicinity Welfare Fund believes this is a “grandfathered health plan” under the Patient Protection and Affordable Care Act of 2010 (“Affordable Care Act”). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that law was enacted.

As a grandfathered plan, your plan may not include certain consumer protections of the Affordable Care Act that apply to non-grandfathered plans: for example, the requirement for the provision of preventive health services without any cost sharing would not apply to a grandfathered plan. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits.

Questions regarding which protections apply, and which protections do not apply to a grandfathered health plan, and what might cause a plan to change from grandfathered health plan status can be directed to Ms. Suzanne Ranelli, the Administrative Manager, at (800) 288-0782. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at 1-866-444-3272 or www.dol.gov/ebsa/healthreform. This website has a table summarizing which protections do and do not apply to grandfathered health plans.

As always, if you have any questions regarding these benefit modifications, please contact the Fund Office at (800) 288-0782.

Sincerely,

The Board of Trustees