

June 27, 1979

(Opinion issued in letter form; name and address deleted)

RE: Opinion of Trustees
Resolution of Disputes
Case No. 18

Pursuant to Article IX of the UMWA 1950 Benefit Plan and Trust, and under the authority of an exemption granted by the U.S. Department of Labor, the Trustees have received a question concerning the payment of expenses for the wife of an Employee who changes Employers after his wife becomes pregnant. Their opinion is issued in Question and Answer form as follows:

Subject: HEALTH BENEFITS; Pregnancy
Reference: Employer Benefit Plan/1974 Benefit Trust, Article III A(10) (a) 2(ii)

Question: A mine worker's wife becomes pregnant in May, 1978 while he is employed by Employer A, a signatory. The mine worker then becomes employed by Employer B, also a signatory; his wife delivers in February, 1979, while he is employed by Employer B.

Which Employer is responsible for payment of the expenses incurred in the delivery?

Answer: Employer A. Under the terms of the Employers' plans and the 1974 Benefit Plan and Trust, coverage will be provided for a pregnancy by the plan of the Employer for whom the mine worker is employed at the time pregnancy commences, provided the mine worker is employed as a classified employee with another signatory to the Wage Agreement at the time the services are rendered.