

Opinion of the Trustees  
ROD Case No. 99  
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March 17, 1980

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

RE: Opinion of Trustees  
Resolution of Disputes  
Case No. 99

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 the question of continuation of coverage for a pregnant Employee under an Employer's benefit plan established pursuant to Article XX of the National Bituminous Coal Wage Agreement of 1978. Their opinion is issued in Question and Answer form as follows;

Subject: HEALTH BENEFITS; Continuation of Coverage, Pregnant Employee

Reference: Employer Benefit Plan, Article III E 1 (a), (b), (c), 2 and Article III A (1) (h), and (3) (c).

Question: If an Employee is receiving Sickness & Accident Benefits on account of pregnancy, what is the Employee's status with respect to continuation of coverage under the Employer's Benefit Plan?

What effect, if any, would the grant of maternity leave have on this Employee?

Answer: The pregnant Employee is to be regarded as a disabled employee and will be eligible for continued coverage for the greater of (i) the period of eligibility for Sickness & Accident Benefits, or (ii) a period of 30 days to 12 months, based on the number of hours worked for the Employer during the 24-month period prior to the date last worked as provided in Article III E(1)(a) of the Employer's Plan.

If the Employee's coverage under the above provisions terminates prior to delivery and the Employee has been granted maternity leave, maternity and obstetrical benefits as described in Article III A(1)(h) and (3)(c), shall remain in full effect during the maternity leave; however all other Plan coverage will be suspended.