

July 24, 1980

RE: Opinion of Trustees Resolution of
Disputes Case No. 130

Pursuant to Article IX of the United Mine Workers of America 1950 Benefit Plan and Trust, and under the authority of an exemption granted by the United States Department of Labor, the Trustees have reviewed the facts and circumstances of this dispute concerning the continuation of health benefit coverage for an Employee after he voluntarily terminated his employment with the Employer. Their opinion is issued in Question and Answer form as follows:

Subject: Health Benefits; Continuation of health benefit coverage for an Employee who voluntarily quits his employment.

Reference: Article III, E (1)(e) of Employer's Benefit Plan.

Question: An Employee voluntarily terminated his employment with Employer "A" on January 8, 1980 to work for Employer "B". Employer "A" paid the Employee for January 9, 1980 and January 10, 1980 as Personal and Sick Leave Days. The Employee's dependent spouse was admitted to a hospital on January 9, 1980 and was discharged on January 21, 1980. He began to work for Employer "B" on January 14, 1980 and is currently employed.

Which Employer is responsible for the provision of health and other non-pension benefits for the Employee and his dependents during the period from January 9 to January 14, 1980?

Answer: Article III, Section E (1)(e) of the Employer's Benefit Plan provides that if an Employee quits or is discharged, health, vision care, life and accidental death and dismemberment insurance coverage will terminate as of the date last worked. Inasmuch as the Employee terminated employment and his date last worked was January 8, 1980, Employer "A's" responsibility for the provision of benefits ended at the close of business that day. Employer "B's" responsibility for the provision of these benefits commenced on January 14, 1980.