

March 24, 1982

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

ROD No. 243

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 your Request for Advisory Opinion concerning the provisions of benefits for you under an Employer's Benefit Plan.

Under the terms of the Employer's Benefit Plan, the Employer from whom you are seeing health benefits coverage is required to provide such coverage only to its employees, certain pensioners, and dependents of eligible employees and pensioners. The Plan does not require the Employer to provide this coverage to individuals who are non-employees.

Based on the information submitted, you were never an employee of the Employer. Rather, you were an employee of a trucking company which performed services for the Employer as an independent contractor. Under these circumstances, the Employer's Benefit Plan does not require the Employer to provide health benefits coverage for you and your dependents.

Sincerely,

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Harrison Combs, Chairman

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John J. O'Connell, Trustee

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Paul R. Dean, Trustee