

January 25, 1983

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-29

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 a question concerning the 24-month limitation provision of the Vision Care Benefit under the Employer's Benefit Plan effective June 7, 1981.

Under the Vision Care Program of the Employer's Benefit Plan Article III. A. (9) (a) provides benefits for examinations, lenses, and frames once every 24 months. On July 18, 1980 benefits were provided for a vision examination of the spouse of the Employee under the terms of the Employer's Benefit Plan in effect from March 27, 1978 through June 7, 1981. On June 7, 1981 a new Employer Benefit Plan was initiated to be effective through September 30, 1984. On September 8, 1981 the Employee's spouse underwent another vision examination for which benefits were denied because she did not satisfy the 24-month limitation. Because the 24-month limitation had not been met, the Employer is not responsible for providing benefits for the Employee's spouse's September 8, 1981 examination.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee

