

January 25, 1983

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-135

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 your sister-in-law's eligibility for health and other non-pension benefit coverage, as your dependent, under the terms of the Employer's Benefit Plan.

Information submitted indicates that, because of the accidental death of her parents, your spouse was appointed her sister's legal guardian on June 17, 1982. However, you and your wife have not adopted her.

Under Question and Answer RH-10, adopted by the Trustees on May 24, 1982, brothers and sisters are not eligible for health benefits as dependents of participants unless they are adopted by the participant. Therefore, although your sister-in-law may be financially dependent upon you, she does not meet the eligibility requirements of the employer's Benefit Plan for benefits coverage as a dependent.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee