

May 31, 1983

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-285

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 deceased husband's Employer's responsibility to provide health benefits coverage for you under its Employer's Benefit Plan (Plan), effective June 7, 1981.

The evidence in file shows that your husband last worked in a classified job for the Employer in July 1978, at which time he became disabled, but not as a result of a mine accident. He had completed more than 20 years of credited service including the required number of years of signatory services in the coal industry and was receiving Social Security Disability Benefits at the time of his death, January 19, 1983, at age 54.

Based on the facts stated above, your husband was eligible for health benefits coverage under Article II C (1) of the Plan. Under the provisions of Article II E (2) and (3) of the Plan, the surviving spouse of such a miner qualifies for health benefits only if she is eligible for a Surviving Spouse Benefit or if life insurance benefits are payable; otherwise, health benefits are provided only to the end of the month in which the disabled miner died.

Because your husband had not attained age 55 at the time of his death, you are not eligible for a Surviving Spouse Benefit as provided under Article VI of the 1974 Pension Plan. Further, you are not eligible for life insurance under the Plan as this coverage is not provided to miners who are eligible for health benefits pursuant to Article II C (1).

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee