

July 30, 1984

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-477

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 circumstances of this dispute concerning the continuation of coverage for an Employee after he voluntarily terminated his employment with the Employer. The Trustees' opinion is issued in Question and Answer form as follows:

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

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

Question: The Employee was suspended with intent to discharge on April 3, 1984. The Employee chose to resign his employment with the Employer, in lieu of being discharged, effective April 4, 1984. The Employee's date last worked for the Employer was March 30, 1984. Health services charges were incurred by the Employee and his minor dependent on and after April 2, 1984.

Is the Employer responsible for the provision of benefit coverage for the Employee and his minor dependent after March 30, 1984?

Answer: Article III D. (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 his employment and his date last worked was March 30, 1984, the Employer's responsibility for the provision of benefits ended at the close of business that day.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

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Paul R. Dean, Trustee