

Opinion of Trustees  
Resolution of Dispute  
Case No. 84-056  
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July 19, 1985

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

Re: Resolution of Dispute  
Case No. 84-056

Pursuant to Article IX of the United Mine Workers of America ("UMWA") 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 Resolution of Dispute concerning the provision of health benefits coverage for your mother-in-law under the Employer Benefit Plan.

This dispute arises because you believe that the criteria used for determining a parent's eligibility for health benefits coverage should be based on what it would cost that parent to reside in his/her own home, rather than in the household of the eligible Employee.

The Employer contends that the Trustees have previously determined that a parent's eligibility is contingent upon the actual amount of support that the parent receives from the Employee.

Article II D. (3) of the Employer Benefit Plan stipulates that health benefits coverage shall be provided to a parent of an eligible Employee or his spouse if the parent has been dependent on and residing with the eligible Employee for at least one (1) year. Additionally, the Trustees have previously determined in Q & A H-2(81) (enclosed herein) that a parent is considered dependent on an eligible Employee if the Employee provides over fifty (50) percent of the parent's support. Support includes, but is not limited to, "the fair rental value of lodging, reasonable cost of board, clothing, miscellaneous household services and education expenditures." The Trustees have established that dependency determinations must be based on actual support contributions by the Employee and not on estimates of potential expenses of a parent residing in his/her own residence.

Sincerely,

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Joseph P. Connors, Sr., Chairman

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Paul R. Dean, Trustee

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William B. Jordan, Trustee

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William Miller, Trustee

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Donald E. Pierce, Jr., Trustee