

4th DISTRICT IBEW HEALTH FUND

401 11th St. Suite 500 • Telephone: (304) 525-0331 • Fax: (304) 525-5415

HUNTINGTON, WEST VIRGINIA 25701



**IMPORTANT NOTICE ABOUT CHANGES TO THE 4TH DISTRICT IBEW
HEALTH AND WELFARE PLAN**

This Notice explains an important change that is being made to the 4th District IBEW Health Plan. The changes to the Plan rules described in this Notice will be effective immediately, unless otherwise noted. You are urged to carefully review this Notice and address any questions to the Benefit Office or the Board of Trustees. This Notice should be kept with your records of Plan activities.

INTRODUCTION

Under the Family and Medical Leave Act of 1993 (FMLA), as amended, qualified and eligible Employees may be able to continue their group health benefits coverage as if they were actively at work for up to 12 weeks during a 12-month period while on family or medical leave under the FMLA. On January 28, 2008, President Bush signed into law the National Defense Authorization Act for FY 2008, Pub. L. 110-181. Among the many components of that law is an amendment to the FMLA that adds two new types of qualifying leave to the FMLA.

FUND CHANGES

If you become eligible for a family leave of absence under one of the new provisions of the FMLA, your coverage may be continued on the same basis as if you were actively working, for up to 26 weeks of full leave (or its equivalent if taken on a part-time or intermittent basis) during a 12-month period defined by your Employer, for either of the following reasons:

1. If you are a spouse, son, daughter, parent or next of kin, to care for a member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing treatment, recuperation, or therapy or is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness where the serious injury or illness was incurred in the line of duty while on active duty and renders the servicemember unfit to perform the duties of his/her office, grade, rank or rating; or

2. To take leave for "any qualifying exigency," to be determined by the Secretary of Labor by regulation at a later date, arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

The term "any qualifying exigency" has not been defined by regulation and as such, provision 2 is not yet in effect as of the date of this Amendment. However, the Plan intends to comply with the spirit of the amendment and afford coverage to qualifying Employees immediately and will administer the leave provisions in accordance with appropriate federal guidance as it becomes available.

Please note that in accordance with the FMLA, the combined total FMLA leave that may be taken in the 12-month period is 26 weeks; in other words, you are eligible for a maximum of 26 weeks in a 12-month period of leave under the two new provisions of the FMLA and/or any other qualifying FMLA leave (e.g. care for a newborn child).

Again, the Board invites you to address any questions you may have to the Benefit Office or the Trustees. Your continued interest in and support of the Plan is appreciated.

Sincerely,

Board of Trustees