

NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS BENEFIT FUNDS

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David Caraballoso

Michael P. Cavanaugh

John Sheehy

Kristin O'Brien, LMSW, CEBS
Executive Director

395 Hudson Street
New York, NY 10014
Telephone: (212) 366-7300

MANAGEMENT

TRUSTEES

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Michael Salgo

Robert Wessels

SUMMARY OF MATERIAL MODIFICATIONS

IMPORTANT INFORMATION REGARDING THE DENTAL BENEFIT PROGRAM, ELIGIBILITY REQUIREMENTS FOR RETIREE HEALTH COVERAGE AS A DISABILITY PENSIONER, AND THE CURRENT BOARD OF TRUSTEES

Date Issued: June 2023

This document is a Summary of Material Modifications (“SMM”) intended to notify you of changes made to the New York City District Council of Carpenters Welfare Fund Summary Plan Description Effective April 1, 2022 For Active Participants Working in Outside Construction and Shop Employment; Retired Participants Who Have Worked in Outside Construction and Shop Employment; and Active and Retired Employees of the District Council, Local Unions, NYCDCC Benefit Funds, Hollow Metal Funds, and CCA Metro – Carpenter Contractor Alliance of Metropolitan New York (the “SPD” or the “Welfare Fund SPD”).

First, this SMM notifies you of changes made to the dental benefit under the NYC District Council of Carpenters Welfare Fund (the “Welfare Fund” or “Fund”). The current dental benefit is described on pages 105 to 114 of the SPD.

Second, this SMM describes changes to the eligibility requirements for Retiree health coverage as a Disability Pensioner under the Welfare Fund (referred to as “Retiree Disability Coverage”) for Disability Pensioners who (a) became Totally Disabled between March 1, 2020 and April 10, 2023 and (b) have either submitted a completed written application or already commenced a Disability Pension by no later than August 31, 2023. The eligibility requirements for Retiree Disability Coverage are on pages 11 to 14 of the SPD.

Third, this SMM reflects the addition of an Employer Trustee to the Board of Trustees. The Employer Trustees are listed on page 176 of the SPD.

Please read this SMM carefully and keep it with the SPD that was previously provided to you. If you have questions regarding the dental benefit change, please call the Member Services Department at (800) 529-FUND (3863), Monday through Friday from 8:00 a.m. to 5:00 p.m. If you have questions regarding Retiree Disability Coverage, you must submit your questions in writing to welfare@nycbf.org.

Dental Benefit

Effective August 1, 2023, the Welfare Fund's dental plan provider will change from *Administrative Services Only, Inc./Self-Insured Dental Services ("ASO/SIDS")* to *Empire BlueCross BlueShield XPO Dental Complete ("Empire BCBS")*. As we transition the dental plan from ASO/SIDS to Empire BCBS, we encourage you to ask your current dentist if he/she is in Empire BCBS's network. If your dentist is not in Empire BCBS's network, and you would like your dentist to join the network, you can ask your dentist to complete a nomination form and email it to **providernomination@anthem.com**. The nomination form can be found at in the Member Documents section of our website at **www.nycdbf.org/member/members-documents/**.

The dental change will **NOT** affect your medical/hospital coverage. Independence Administrators (or UnitedHealthcare if you are a Medicare-eligible retiree) will continue to administer the Fund's medical/hospital coverage, while Empire BCBS will administer **dental coverage ONLY**.

More information on the dental benefit change will be communicated in the coming weeks. Be sure to watch for paper mailings at your home, visit our website at **www.nycdbf.org**, and follow our social media pages (**Facebook: www.facebook.com/nycdcbf**, **Instagram: www.instagram.com/nycdcbf**, and **Twitter: www.twitter.com/nycdcbf**) for updates on the latest news!

Special Limited Rule for Disability Retiree Health Coverage

The eligibility provisions for Retiree Disability Coverage during the Disability Pension Phase II period (after 24 months of disability), as stated on page 12 of the Welfare Fund SPD, require a Disability Pensioner to have at least 20 Vesting Credits in the New York City District Council of Carpenters Pension Fund (the "Pension Fund") as of his/her disability commencement date. (Remember that Vesting Credit earned in the Pension Fund counts toward Retiree Disability Coverage in the Welfare Fund only when an employer also made contributions to the Welfare Fund on the individual's behalf at the time the Vesting Credit was earned.)

The minimum number of Vesting Credits for a Disability Pensioner has been reduced from 20 Vesting Credits to 17 Vesting Credits in the following very limited circumstances. You must satisfy both conditions below (as well as all other applicable requirements set forth in the Welfare Fund SPD) to qualify for Retiree Disability Coverage.

1. You must have become Totally Disabled (as defined on pages 11 to 12 in the Welfare Fund SPD) between March 1, 2020 and April 10, 2023 ***and***
2. You must satisfy one of the following two conditions:
 - a. Your actual Disability Pension payments must have started by August 31, 2023 (irrespective of your Disability Pension Effective Date) or

- b. You must submit a completed Disability Pension application to the Fund Office by no later than August 31, 2023.

This provision is known as the “*Special Limited COVID-19 Disability Welfare Rule Effective for Disability Retiree Coverage Beginning on September 1, 2023*” (the “2023 Rule”).

Except as noted above, the 2023 Rule does change any of the other eligibility requirements for Retiree Disability Coverage. This means that if you became Totally Disabled (as defined in the Welfare Fund SPD) before March 1, 2020 or after April 10, 2023, you must have at least 20 Vesting Credits to qualify for Retiree Disability Coverage. If you have at least 17 Vesting Credits but less than 20 Vesting Credits, but you are not in receipt of Disability Pension payments by August 31, 2023 or you do not submit a completed Disability Pension application to the Fund Office by August 31, 2023, you will **not** qualify for coverage under the 2023 Rule even if it is later determined that your disability commencement date was between March 1, 2020 and April 10, 2023.

To reiterate, in order to qualify for Disability Retiree Coverage under the 2023 Rule, it is not sufficient to be subsequently awarded a Disability Pension effective date that falls between March 1, 2020 and April 10, 2023. Instead, (1) you must actually be in receipt of monthly Disability Pension payments by August 31, 2023, or (2) you must have submitted a completed Disability Pension application to the Fund Office by August 31, 2023 which is approved.¹

If you qualify for Disability Retiree Coverage under the 2023 Rule, you will need to submit the Retiree Medical Election Premium Form to the Welfare Fund in which you elect to have your monthly premium for Retiree Disability Coverage deducted from your pension payment or paid to the Welfare Fund via automatic withdrawal (ACH) from your bank account. If you qualify for coverage under the 2023 Rule, and subject to your submission of required documentation and your payment of the monthly premium at least 15 days in advance of the commencement of such coverage, the earliest date on which your coverage will commence is September 1, 2023. For example, if you qualify for Retiree Disability Coverage under the 2023 Rule as of June 1, 2023 and you submit the Retiree Medical Election Premium Form to the Welfare Fund on June 30, 2023, your coverage will begin on September 1, 2023. If you qualify for Retiree Disability Coverage under the 2023 Rule as of June 30, 2023 and you submit the Retiree Medical Election Premium Form to the Welfare Fund on August 25, 2023, your coverage will begin on October 1, 2023.

The following examples illustrate the application of this change.

Example 1:

Miguel had **19 Vesting Credits** as of December 31, 2021 when he became Totally Disabled. His Social Security Disability Award lists his **disability commencement date as December 31, 2021** and he is in receipt of a Disability Pension prior to September 1, 2023. Subject to submitting the Retiree Medical Election Premium Form and his premium payment, Miguel is eligible for Retiree Disability Coverage after the initial 24 months of his disability since (1) he has at least 17 Vesting

¹ Submission of a completed application does not guarantee eligibility for Retiree Disability Coverage. Eligibility is contingent upon satisfying all applicable requirements.

Credits, (2) his disability commencement date is between March 1, 2020 and April 10, 2023, and (3) he is in receipt of Disability Pension payments prior to September 1, 2023.

Example 2:

Jenny had **17 Vesting Credits** as of December 31, 2019 when she became Totally Disabled. Her Social Security Disability Award lists her **disability commencement date as December 31, 2019** and she is in receipt of a Phase II Disability Pension prior to September 1, 2023. Jenny is **not** eligible for Retiree Disability Coverage after the initial 24 months of her disability (assuming eligibility for such coverage) since, even though Jenny has 17 Vesting Credits, she did not become Totally Disabled (as determined by Social Security) between March 1, 2020 and April 10, 2023. In this example, Jenny needs at least 20 Vesting Credits to be eligible for Disability Retiree Coverage in addition to satisfying all other applicable requirements.

Example 3:

Oscar has **19.75 Vesting Credits** as of April 25, 2023 when he becomes Totally Disabled. His Social Security Disability Award lists his **disability commencement date as April 25, 2023** and he is in receipt of a Phase II Disability Pension prior to September 1, 2023. Oscar is **not** eligible for Retiree Disability Coverage after the initial 24 months of his disability (assuming eligibility for such coverage) since, even though Oscar has 19.75 Vesting Credits, he did not become Totally Disabled (as determined by Social Security) between March 1, 2020 and April 10, 2023. In this example, Oscar needs at least 20 Vesting Credits to be eligible for Disability Retiree Coverage in addition to satisfying all other applicable requirements.

Example 4:

Stella has **18.50 Vesting Credits** as of December 31, 2022 when she stops working in Covered Employment because of an on-the-job injury. Based on her condition, Stella is Totally Disabled and would qualify for a Disability Pension if she applied to the Pension Fund for a Disability Pension by August 31, 2023. However, Stella does not apply for a Disability Pension at this time. Stella later receives a Social Security Disability Award which lists her **disability commencement date as December 31, 2022**. Stella applies to the Pension Fund for a Disability Pension on December 1, 2023. Stella is **not** eligible for Retiree Disability Coverage after the initial 24 months of her disability (assuming eligibility for such coverage) since, even though (a) Stella has 18.50 Vesting Credits, (b) she became Totally Disabled between March 1, 2020 and April 10, 2023 and (c) her Pension Effective Date will fall between March 1, 2020 and April 10, 2023, she was neither in receipt of Disability Pension payments by August 31, 2023 nor had she applied for a Disability Pension by August 31, 2023 as required by the 2023 Rule. In this example, Stella needs at least 20 Vesting Credits to be eligible for Disability Retiree Coverage in addition to satisfying all other applicable requirements.

Stella may have had compelling reasons specific to her circumstances for delaying submission of her application for a Disability Pension past August 31, 2023. She may have been unaware that she qualified for a Disability Pension. Regardless of the reason, Stella's failure to submit a written

application to the Fund Office by August 31, 2023 disqualifies her from qualifying for Retiree Disability Coverage under the 2023 Rule.

Changes to Employer Trustees Designated by Employer Associations

Robert Wessels was appointed to the Board of Trustees effective December 7, 2022. The list of Employer Trustees Designated by Employer Associations on page 176 of the SPD is amended by adding the following information to the list:

Name	Title/Employer Association	Address
Robert Wessels	Trustee The General Contractors Association of New York, Inc.	New York City District Council of Carpenters Welfare Fund 395 Hudson Street New York, NY 10014

This SMM is intended to provide you with an easy-to-understand description of changes to the SPD. The Board of Trustees (or its duly authorized designee) reserves the right, in its sole and absolute discretion, to amend, modify or terminate the Plan, or any benefits provided under the Welfare Fund, or any eligibility or other type of rule in whole or in part, at any time and for any reason, in accordance with the applicable amendment procedures established under the Welfare Fund. No individual other than the Board of Trustees (or its duly authorized designee) has any authority to interpret the Welfare Fund Plan/SPD, make any promises to you about benefits under the Welfare Fund, or to change any provision of the Welfare Plan/SPD. Only the Board of Trustees (or its duly authorized designee) has the exclusive right and power, in its sole and absolute discretion, to interpret the terms of the Welfare Plan/SPD and decide all matters, legal and/or factual, arising under the Welfare Plan/SPD.

