DIVORCE & YOUR BENEFITS

Be sure to notify the NYCDCC Benefit Funds and keep your information up-to-date

DIVORCE AND YOUR WELFARE BENEFITS:

It is extremely important that you notify the Welfare Fund of your divorce and provide a copy of your divorce judgment to the Welfare Fund as soon as possible because your former spouse's coverage will terminate at the end of the month in which the judge signed the divorce judgment. You and your former spouse will be responsible for reimbursing the Welfare Fund the cost of any benefits and premiums paid on behalf of your former spouse or former stepchildren after the last day of the month in which the judge signed the divorce judgment.

In addition, in order for your former spouse or former stepchildren to be eligible for COBRA coverage, you or your former spouse must provide notice of your divorce within 60 days of the date of divorce. If the Welfare Fund does not receive notice of the divorce within 60 days of the divorce, your former spouse and stepchildren will lose the right to COBRA eligibility. As noted, a delay in timely notification will also make you liable for any health claims and premiums paid by the Welfare Fund after your spouse and stepchildren ceased to be eligible.

Even if you think your former spouse has provided notice, we urge you to provide notice to eliminate any doubts since you will both be financially responsible for any claims paid in error and you and your current dependents risk losing health coverage if reimbursement is not made to the Welfare Fund. If you are a Retiree and your ex-spouse received Welfare Fund Retiree Coverage, the cost of your monthly premium will be reduced.

IMPORTANT: A divorce does not change your Beneficiary or invalidate your prior designation of your former spouse as Beneficiary for your life insurance or accidental death and dismemberment benefit. If you are divorced and wish to change your Beneficiary for these benefits, you must submit a new Beneficiary designation form to the Fund Office.

The **NYCDCC Welfare Fund/Pension Fund Enrollment/Beneficiary Designation Form** is available at nyccbf.org/member-forms or by scanning the QR code above

SEE REVERSE SIDE TO LEARN ABOUT DIVORCE AND YOUR PENSION BENEFITS

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DIVORCE AND YOUR PENSION BENEFITS:

Getting Divorced Before Retirement:

If you get divorced before retirement, your former spouse will no longer be entitled to any survivor benefits, unless you were married for at least one year and a court enters a Qualified Domestic Relations Order ("QDRO") entitling your former spouse to this benefit. A QDRO with respect to a former spouse will take precedence over any claims of your current spouse at the time of your retirement or death.

Important reminders about Domestic Relations Orders ("DROs"):

- The Trustees are legally required to follow the terms of DROs that are determined by the Plan to be "Qualified" under federal law.
- The Plan has written procedures for handling DROs.
- The Plan's QDRO Procedures will be provided to you free of charge at your request. You may also obtain the QDRO Procedures by visiting the Pension section of our website at www.nyccbf.org/member/pension/.
- If you have questions about DROs, please contact the Fund Office

Getting Divorced After Retirement:

If you are married when you retire, but later divorce, and your benefit is being paid under the 50% or 75% Participant and Spouse form of payment, your monthly payments continue in the same reduced amount and your former spouse remains entitled to a survivor benefit upon your death, if they survive you. Your spouse's waiver of benefits in a separation agreement or other document after you have elected a 50% or 75% Participant and Spouse Pension will not entitle you to change your form of pension. Nor can a DRO be used to change your form of pension if your pension commenced while you were married.

If a QDRO provides that your former spouse is entitled to a portion of your benefit while you are alive, the Plan will pay a portion of your monthly benefit to your former spouse as provided by the QDRO.

SEE REVERSE SIDE TO LEARN ABOUT DIVORCE AND YOUR WELFARE BENEFITS

If you have any questions about the divorce reporting process, please call the Fund Office at 800-529-FUND (3863) or 212-366-7373