



**PENSION TRUST FUND • WELFARE FUND • RETIREE WELFARE PLAN  
VACATION SAVINGS PLAN • RETIREMENT ENHANCEMENT FUND**

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**JAMES M. SWEENEY, CHAIRMAN / DAVID M. SNELTEN, SECRETARY-TREASURER**

August 21, 2018

**RE: Midwest Operating Engineers Retiree Welfare Plan - Summary of Material Modification**

Dear Member:

**If you are a retiree that retired prior to January 1, 2019 and are currently receiving coverage under the Midwest Operating Engineers Retiree Welfare Plan, the plan changes discussed below WILL NOT apply to you.**

**NEW RETIREE WELFARE PLAN ELIGIBILITY REQUIREMENT  
FOR INDIVIDUALS RETIRING ON OR AFTER JANUARY 1, 2019**

The Retiree Welfare Fund Board of Trustees has decided to require individuals, retiring on and after January 1, 2019, to be dues paying union members in good standing as a condition to become and remain eligible for Midwest Operating Engineers Retiree Welfare Plan (Retiree Plan) benefits. All other requirements for eligibility in the Retiree Welfare Plan remain the same.

Beginning on or after January 1, 2019, if you have not yet retired and are a member of the International Union of Operating Engineers Local 150 (Local 150) or any other union whose collective bargaining agreement requires contributions to the Fund, but you are not a dues paying member in good standing, you or your eligible dependents will not be eligible for benefits under the Midwest Operating Engineers Retiree Welfare Plan. If you apply for Retiree Plan benefits and you are not a dues paying member in good standing, your application will be denied.

Any individual retiring on or after January 1, 2019, who meets this new requirement, and subsequently ceases to be a dues paying member in good standing will have their coverage (and their eligible dependents coverage) under the Retiree Plan terminated at that time.

If you are directly impacted by this change, we encourage you to contact Local 150 or your applicable union to discuss your membership status.

Please read the enclosed Summary of Material Modification to learn about this new requirement. If you have any questions, contact the Fund Office at (708) 579-6600.

Sincerely,

**The Board of Trustees**

The Midwest Operating Engineers Retiree Welfare Fund

**Midwest Operating Engineers Retiree Welfare Fund**  
**Summary of Material Modification**  
**Effective on or after January 1, 2019**

**Changes to the Midwest Operating Engineers Retiree Welfare Plan Eligibility Requirements**

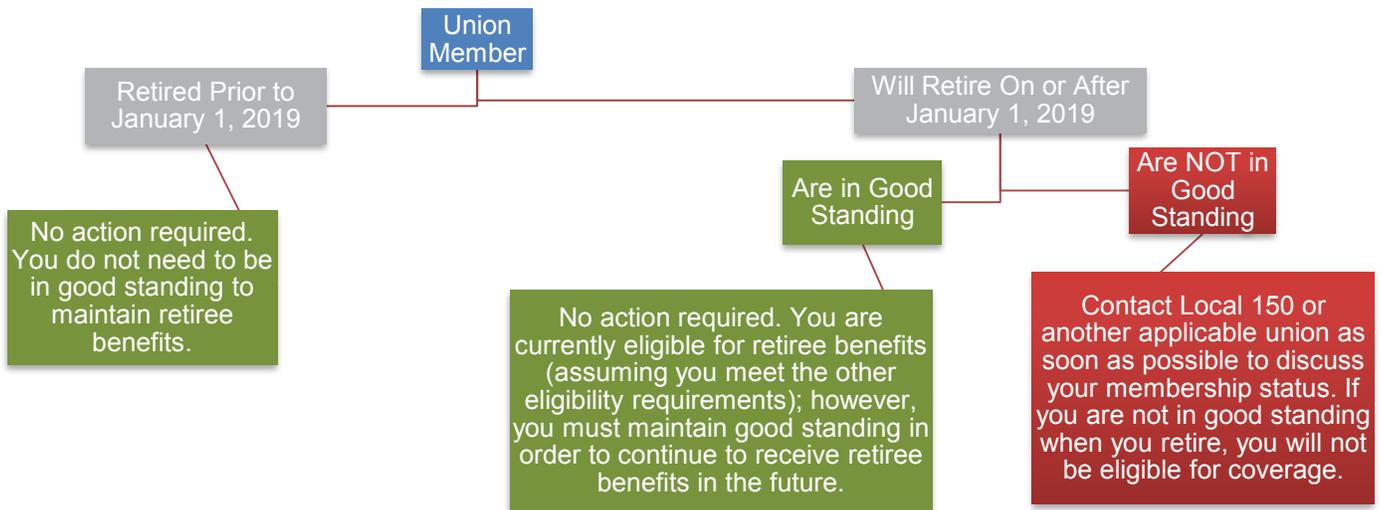
This document is referred to as a Summary of Material Modification (SMM) to your Retiree Welfare Plan Summary Plan Description (SPD) dated January 1, 2016. All other information, terms, and conditions in your Retiree SPD dated January 1, 2016, remain in effect and have not changed.

Review this SMM carefully and your SPD in its entirety so you understand your benefits. For future reference keep this SMM with your Benefit Summary, SPD, and all other SMMs issued after January 1, 2016. They are a resource for you when you have questions about your benefits.

**Changes to Retiree Welfare Plan Eligibility Requirements**

Effective on or after January 1, 2019, to become eligible for Retiree Plan benefits, you must be a dues paying **member in good standing** of the International Union of Operating Engineers Local 150 or any other union whose collective bargaining agreement requires contributions to the Fund.

The following chart shows whether and how you will be affected by this change:



**Frequently Asked Questions**

*Why am I receiving this document if I am not retired?*

Under federal law, SMMs are only required for participants enrolled in the Retiree Plan. In general, only current Retiree Plan participants receive information about Retiree Plan changes. However, due to the importance of this particular change, all current Retiree Plan and Active Plan participants are receiving this notification.

**Midwest Operating Engineers Retiree Welfare Fund**  
**Summary of Material Modification**  
**Effective on or after January 1, 2019**

*Who decides whether I am a member in good standing?*

Whether or not you are a member in good standing is determined by Local 150 or another union, if applicable. The Retiree Plan can only make appropriate changes to plan coverage and establish eligibility requirements.

*How does the Retiree Plan know that I am a member in good standing?*

Local 150 or your union provides information to the Fund to confirm that your membership is in good standing. **If your membership remains in good standing, you do not need to take action.** If you have not yet retired and are no longer a member in good standing, you should work with Local 150 or your union to re-establish your membership in good standing.

*What will happen if I am currently enrolled in Retiree Plan benefits and I am a member in good standing?*

**If you retired before January 1, 2019, this change does not apply to you.** You do not need to be a member in good standing to maintain retiree benefits.

*I will retire sometime soon and I am no longer a union member in good standing. Will this impact my application for Retiree Plan benefits?*

Yes. If you retire on or after January 1, 2019, and you are not a member in good standing with Local 150 or any other union whose collective bargaining agreement requires contributions to the Fund, you (and your eligible dependents) will not be considered eligible for Retiree Plan benefits. At the time of your retirement you must be a dues paying member in good standing in order to enroll in Retiree Plan benefits.

*What will happen if I am considered a member in good standing at retirement and subsequently my membership is suspended?*

If you retire on or after January 1, 2019, you must remain a dues paying member in good standing for you (and your eligible dependents) to remain eligible for Retiree Plan benefits. **If your membership is suspended or you are expelled, you and your family members will be considered ineligible for coverage under the Retiree Plan unless your membership in good standing is re-instated timely.** You will be required to provide proof of re-instatement.

**Questions?**

If you have questions about the information contained in this SMM or need any additional information about this change, please contact the Fund Office at 708-579-6600.

*This announcement contains only highlights of recent changes to the Midwest Operating Engineers Retiree Welfare Plan. Full details are contained in the documents that establish the Plan provisions. If there is a discrepancy between the wording here and the documents that establish the Plan, the document language will govern. The Trustees reserve the right to amend, modify, or terminate the Plan at any time.*

# Nondiscrimination Notice Under Section 1557 of the Affordable Care Act

## Discrimination Is Against the Law

Midwest Operating Engineers Welfare Fund and the Midwest Operating Engineers Retiree Welfare Plan (the “Plans”) comply with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Each Plan does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

Each Plan:

- Provides free aids and services to people with disabilities to communicate effectively with us, such as:
  - Qualified sign language interpreters
  - Written information in other formats (large print, audio, accessible electronic formats, other formats)
- Provides free language services to people whose primary language is not English, such as:
  - Qualified interpreters
  - Information written in other languages

If you need these services, contact Mr. Thomas M. Bernstein, the Civil Rights Coordinator.

If you believe either Plan has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with:

Mr. Thomas M. Bernstein, Civil Rights Coordinator  
Midwest Operating Engineers Fringe Benefit Funds  
6150 Joliet Road  
Countryside, Illinois 60525-3994  
Telephone: 1-708-482-7300  
Fax: 1-708-482-3056

You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, Mr. Thomas M. Bernstein is available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Room 509F, HHH Building  
Washington, D.C. 20201  
1-800-368-1019, 800-537-7697 (TDD)

