

**SUMMARY OF MATERIAL MODIFICATIONS
AND
NOTICE TO PARTICIPANTS**

**INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 98
HEALTH AND WELFARE FUND
(Plan No.: 501; I.D. No.: 04-2123707)**

Dated: March 24, 2021

Dear Participant:

The following information describes new temporary modifications to certain participant timeframes applicable to benefits provided by the International Union of Operating Engineers Local 98 Health and Welfare Fund (the "Plan") as reflected in the Summary Plan Description ("SPD") as a result of the continuing COVID-19 pandemic. **Please read this Summary of Material Modifications carefully as it contains important information regarding your rights under the Plan.**

The section titled COVID - 19 TOLLING PERIOD at the end of the SPD, has been replaced with the following:

Effective March 1, 2020, the Plan will suspend certain deadlines detailed below that fall during the "COVID-19 Outbreak Period" (March 1, 2020, until sixty (60) days after the announced end of the COVID-19 National Emergency) until the earlier of: (a) one year from the applicable deadline; or (b) the end of the COVID-19 Outbreak Period. This means that every time that one of the following deadlines occurs on or after March 1, 2020, that deadline will be suspended for up to a year, as long as the COVID-19 Outbreak Period continues:

1. The 30-day deadline to request special enrollment in the Plan due to a loss of other coverage, your marriage, or the birth, adoption, or placement for adoption, with you of a new dependent.
2. The 60-day deadline to request special enrollment due to the loss of Medicaid or CHIP coverage.
3. The 60-day period to elect COBRA continuation coverage, the initial 45-day COBRA premium payment deadline, and the subsequent 30-day deadlines for making COBRA premium payments for each month thereafter.

4. The deadline for individuals to notify the Plan of a qualifying event or determination of disability for purposes of COBRA.
5. The deadline to file a benefit claim under the Plan's claims procedures.
6. The deadline to file an appeal of an adverse benefit determination under the Plan's appeals procedures.
7. The four-month deadline to file a request for an external review after receipt of an adverse benefit determination or final internal adverse benefit determination.
8. The deadline to file information to perfect a request for external review upon a finding that the request was not complete. A Plan must allow a claimant to perfect the request for external review within the four-month filing period or within the 48-hour period following the receipt of the notification of a deficient request for review, whichever is later.

For example, if a qualified beneficiary would have been required to make a COBRA election by April 1, 2020, the deadline will be delayed until April 1, 2021, which is the earlier of one year from April 1, 2020, or the end of the COVID-19 Outbreak Period (which remains ongoing).

The Plan's deadline to provide a COBRA election notice is also subject to the above Tolling Period.

Please place this information with your Health and Welfare Fund documents for permanent reference. If you have any questions concerning these changes, please call the Fund Office at (888) 441-1922.

Sincerely,

**BOARD OF TRUSTEES OF THE
INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL 98 HEALTH AND WELFARE FUND**

**SUMMARY OF MATERIAL MODIFICATIONS
AND
NOTICE TO PARTICIPANTS**

**INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 98
HEALTH AND WELFARE FUND
(Plan No.: 501; I.D. No.: 04-2123707)**

Dated: June 23, 2021

Dear Participant:

The following information describes changes to the International Union of Operating Engineers Local 98 Health and Welfare Fund (the "Plan") as reflected in the Summary Plan Description ("SPD"). **Please read this Summary of Material Modifications carefully as it contains important information regarding your rights under the Plan.**

Effective March 24, 2021, new language is added to the end of the Section titled "**Initial Eligibility for Benefits...**" immediately following the paragraph titled "**Skip Month**" as follows:

Those existing Employees that do not opt-out, in a bargaining unit working under terms and conditions for a first time collective bargaining unit on whose behalf contributions are required to be tendered to the Fund, shall have eligibility commence on the first day of the month ("start date") following the Employer and Union executing a collective bargaining agreement that requires contributions to this Fund. Eligibility for benefits will be as provided in the earlier paragraph entitled "**Initial Eligibility for Benefits.**"

Please place this information with your Health and Welfare Fund documents for permanent reference. If you have any questions concerning these changes, please call the Fund Office at (888) 441-1922.

Sincerely,

**BOARD OF TRUSTEES OF THE
INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL 98 HEALTH AND WELFARE FUND**