

Northeast District Council of the OPCMIA Welfare Fund



SUMMARY OF MATERIAL MODIFICATIONS TO THE NORTHEAST DISTRICT COUNCIL OF THE OPCMIA WELFARE FUND

Date: December 2020

To: Participants in the Northeast District Council of the OPCMIA Welfare Fund

From: Board of Trustees of the Northeast District Council of the OPCMIA Welfare Fund

Re: Changes to the Northeast District Council of the OPCMIA Welfare Fund

The following summary describes changes to the Northeast District Council of the OPCMIA Welfare Fund (the "Plan" or the "Fund"). This summary is intended to satisfy the requirements for issuance of a Summary of Material Modification ("SMM") under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). You should take time to read this material carefully and keep it with the copy of the Summary Plan Description ("SPD") that was previously provided to you. If you need another copy of the SPD, or if you have any questions regarding these changes to the Plan, please contact the Fund Office, either in writing at 100 Merrick Road, Suite 500 West, Rockville Centre, NY 11570 or by telephone at 516-775-2280.

Under the current terms of the Plan, you must have worked at least 1,000 hours in covered employment and have contributions made on your behalf in the prior plan year (January 1st through December 31st) to receive health and welfare coverage from the Welfare Fund for the next plan year. For example, to receive coverage for plan year 2021, you would have had to have worked and have contributions made on your behalf for 1,000 hours or more in covered employment during 2020. As stated on page 17 of the SPD, if you are on disability or receiving workers' compensation benefits, ordinarily you would be credited with 20 hours for each week that you are receiving disability payments from the Fund or workers' compensation, up to a maximum of 26 weeks each year.

The Board of Trustees for the Fund recognizes the need for certain relief during the COVID-19 pandemic. Therefore, for purposes of calculating hours of service in 2020 only (and determining eligibility for 2021 coverage), you will receive 35 hours of service for each week that you are receiving disability benefits from the Fund or workers' compensation during the period March 1, 2020 through December 31, 2020 only, up to a

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maximum of 26 weeks, provided that you received Welfare Fund coverage during the 2020 plan year.

***Example:** Participant Hal was eligible for and received coverage from the Fund during 2020. From January 1, 2020 through February 28, 2020, Hal earned only 200 hours of service in covered employment. Hal became disabled as of March 1, 2020 and remained disabled for the remainder of 2020. Under the Plan's normal rules, Hal would have only been credited with 520 hours of service (20 hours multiplied by the 26-week maximum) for the period during which he was disabled. Hal would only have had a total of 720 hours of service (200 hours for January 1st through February 28th plus 520 hours for his period of disability of March 1st through December 31st) for eligibility purposes. Therefore, he would have fallen short of the 1,000 hour requirement to receive coverage in 2021. Under the new 2020 rule, Hal would be credited with 910 hours of service (35 hours multiplied by the 26-week maximum) for the period March 1st through December 31st. This would bring Hal's total hours of service for 2020 to 1,110; therefore, he will meet the hours requirement and be eligible for coverage in 2021.*

As always, the Fund Office is available to assist you with any other questions that you might have. If you have any questions, please contact the Fund Office at 516-775-2280.

Sincerely,

The Board of Trustees
Northeast District Council of the OPCMIA Welfare Fund

This SMM is intended to provide you with an easy-to-understand description of certain changes to the Plan. While every effort has been made to make this description as complete and as accurate as possible, this SMM, of course, cannot contain a full restatement of the terms and provisions of the Plan. If any conflict should arise between this summary and the Plan, or if any point is not discussed in this SMM or is only partially discussed, the terms of the Plan will govern in all cases.

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 Plan, in whole or in part, at any time and for any reason, in accordance with the applicable amendment procedures established under the Plan and the Agreement and

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Declaration of Trust establishing the Plan (the "Trust Agreement"). The Trust Agreement and the full Plan document are at the Fund Office and may be inspected by you free of charge during normal business hours.

No individual other than the Board of Trustees (or its duly authorized designee) has any authority to interpret the plan documents, make any promises to you about benefits under the Plan, or to change any provision of the Plan. 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 Plan and decide all matters arising under the Plan.