

# The Benefit Package

A Quarterly Newsletter for Northern California Laborers



Winter 2011 #51

## Year 2010 In Review

### Health and Welfare *Retired Plans Only*



#### PacifiCare

Effective September 1, 2010, PacifiCare, also known as UnitedHealthcare - UHC, was terminated as a Plan Option.

#### Health Net Seniority Plus (Health Net members only)

Effective September 1, 2010, your copayment changed.  
Health Net Seniority Plus Prescription Drug copayments:



	<u>Retail Pharmacy</u>	<u>Mail-Order Pharmacy</u>
	30/day supply	90/day supply
Generic	\$10	\$20
Formulary Brand	\$25	\$50
Non-Formulary Brand	\$50	\$100

Generic	\$10	\$20
Formulary Brand	\$25	\$50
Non-Formulary Brand	\$50	\$100

#### Chiropractic Benefit

Office Visit: \$40  
Maximum visits per Plan Year: 20  
Maximum x-rays per Plan Year: \$100



### Health and Welfare *Active and Retired Plans*

#### Kaiser

Effective March 1, 2010, Kaiser was re-instated as a Plan Option.

#### Direct Payment Plan

#### Anthem Blue Cross of California

Effective February 1, 2010, the Preferred Provider Service Area includes all counties in California.

#### Prescription Solutions Specialty Pharmacy

Effective December 1, 2010, Prescriptions Solutions replaced CuraScript as the contracting Specialty Pharmacy.

#### Non-Participating Ambulatory Surgical Facilities

Effective March 1, 2010, Medically necessary services from a Non-Participating Ambulatory Surgical Facility are limited to a maximum of \$500 per day.

continued on page 2

## CLAREMONT EAP

### Top 8 Resolutions



1. Get out of debt.
2. Complete a Simple Will Kit.
3. Explore elder care options for aging relatives.
4. Find answers to my tax questions.
5. See a therapist to improve communication skills.
6. Find a veterinarian for my pet.
7. Improve my credit score.
8. Research new summer programs for my kids.

Claremont EAP can help.  
Call 800-834-3773

## IMPORTANT

Enclosed in this issue:

- Northern California Laborers Scholarship Contest, Application and Instructions
- Important Announcement Affordable Care Act Special Enrollment Rights
- Special Enrollment Form

2010 Year in Review *continued from page 1*

## Pension

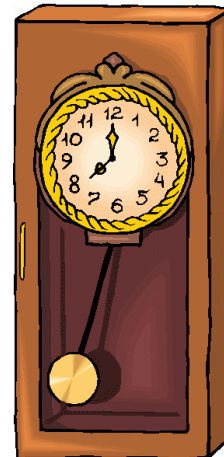
### Filing Requirement for Disability Pension

Retroactive to August 1, 2008, Participants have 180 days to file their Social Security Notice of Award or equivalent document with the Trust Fund Office should they become disabled from performing work as a laborer in the Building and Construction Industry.

## Annuity

### Withdrawal of Accumulated Share

Effective January 1, 2011 the Annuity Plan allows an Employee to withdraw his Accumulated Share if there has been less than 1,000 hours of work for an Individual Employer in the 24-month period before his Annuity Starting Date.



## Temporary Supplemental Benefit

The Temporary Supplemental Benefit for eligible Pensioners and Beneficiaries has been part of the Pension Plan for a number of years. Because the ability to provide this benefit is dependent on the Plan's funded position, it has always been considered "temporary" – only lasting for a year or two. Each time it has expired, the Trustees have been required to review the Plan's current funded position to determine if the benefit could continue to be funded.

Each time, the Plan has been fortunate enough to be able to continue extending the benefit for an additional year or two at a time. This has been due, in part, to the economy and to the Trustees' careful management of Plan benefits and assets. Even during these tough economic times, the benefit continues – at least through November 30, 2011.

As November 30, 2011 approaches, the Trustees will again consider extending the Temporary Supplemental Benefit. Their ability to grant another extension will be dependent on both the Plan's funding status and the laws that apply to Pension Plans. Regardless of the outcome, please be assured that the Trustees will make every effort to continue to offer this benefit while protecting the funded position of the Plan for the good of all its Participants.

## Primary Care Physician

Under the Health and Welfare Trust Fund's Direct Payment Plan, you may choose a Primary Care Physician (PCP) in the Anthem Blue Cross Prudent Buyer Plan network.

Visit your PCP to diagnose and treat minor illnesses and injuries as well as handle chronic illnesses. Your PCP will also determine when you need to see a specialist and coordinates your care appropriately.



You should establish a relationship with a PCP when you are healthy, don't wait until you are sick.

## Explanation of Benefits (EOB)

An EOB is NOT an invoice or bill. The EOB is your notification that a claim was processed for payment.



If you do not receive an EOB from the Trust Fund Office within 45 days of your doctor's visit, contact your doctor to ask whether a claim was filed.

When you need to make a payment to a Provider (listed on the EOB), send the payment to the provider, not to the Trust Fund Office.

## 1099R Tax Form Retired Participants

All Retirees will be sent their 1099R by January 31, 2011. The 1099R form includes tax information for 2010.

**Gross Distribution:**

Amount of benefits paid

**Taxable Amount:**

Taxable amount of your benefits

**Taxable Amount:**

Not Determined - applies to disabled retirees

**Federal Income Tax Withheld:**

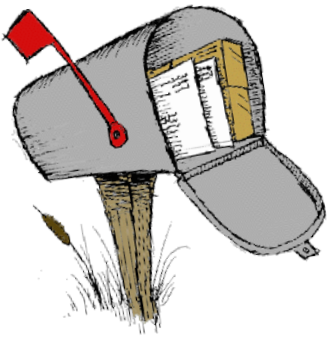
Federal income tax deducted from your benefits

**State Income Tax Withheld:**

State income tax deducted from your benefits

**Distribution Code(s):**

IRS codes are explained on the back of the form



If you have questions regarding the 1099R, contact your tax advisor. If you have not received your 1099R by mid February, contact the Accounting department at the Trust Fund Office.

## Withholding Tax Certificate



Federal regulations require that all Pensioners receive a Withholding Certificate form. You may start, stop, increase or decrease the amount of tax withheld from your monthly pension benefit at any time.

Your last election of withholding remains in effect until you file a new Withholding Certificate form. If you want to make a change in your withholding, simply complete and sign the Withholding Certificate which will be mailed with your February benefit check.

For more information or to request a copy of this form, contact the Pension department.

## Dental Open Enrollment

The *Open Enrollment* period to change your Dental Plan begins on January 1 and ends on February 11, 2011. If you plan to change your Dental Plan, you must submit your Dental Enrollment Form by February 11, 2011 for a March 1 effective date.



Dental Plan options shown below.

	Delta Dental				
	Delta Premier	Delta PPO	DeltaCare USA	Bright Now!	Pacific Union Dental
Active	X	X	X	X	X
Retired	X	X	X		

For a Dental Enrollment form, contact the Health and Welfare department at the Trust Fund Office.

# CALENDAR

On or About This Date	We Will Mail	You Should
January 27, 2011	February 2011 Pension Benefit Check	Retain check stub for your records.
January 31, 2011	Annual Tax Notification "Withholding Certificate"	Follow instructions on the form, then complete, sign and return ASAP.
January 31, 2011	Pensioners: 1099R Tax Form	Retain for tax purposes. If not received, contact the Accounting department (x624)
February 21, 2011	President's Day	The Trust Fund Office will be closed in observance of this Holiday.
February 24, 2011	March 2011 Pension Benefit Check	Retain check stub for your records.
March 24, 2011	Statement of Account Work Period: 8/1/10-1/31/11 and Summary Annual Report	Verify hours, report discrepancies and retain for your records. Summary Annual Report is for your information only, no action required.
March 29, 2011	April 2011 Pension Benefit Check	Retain check stub for your records.
April 30, 2011	Vacation - Holiday Benefit Check	SEND a Change of Address form to the Trust Fund Office no later than April 1, if you have recently moved.



## Contacting The Fund Office



Laborers Trust Funds  
220 Campus Lane  
Fairfield, CA 94534-1498



(707) 864 - 2800  
or Toll Free  
(800) 244 - 4530

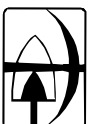


Internet Web site:  
[www.norcalaborers.org](http://www.norcalaborers.org)

The Benefit Package is published by the Laborers Funds Administrative Office of Northern California, Inc. Its purpose is to provide you and your family with information about the various benefits available to eligible participants and how to effectively use those benefits. It is not intended as a substitute for official Plan documents. Your rights as a Plan Participant or Beneficiary can only be determined by consulting the Rules and Regulations of the Plans. Please submit any comments or suggestions to the address listed above.

**Benefit Package**  
[www.norcalaborers.org](http://www.norcalaborers.org)

Laborers Funds Administrative  
Office of Northern California, Inc.  
220 Campus Lane  
Fairfield, CA 94534



PRSR1 STD  
U.S. POSTAGE  
PAID  
PERMIT #195  
OAKLAND CA



January 14, 2011

To: All Plan Participants

Re: Northern California Laborers Scholarship Contest

We are pleased to announce that the Northern California Laborers Scholarship Foundation will be awarding fifty (50) scholarships in the amount of \$3,000 each for the Fall 2011 - Spring 2012 school year.

Please be aware that this scholarship is open only to eligible children of members of affiliated Laborers' Local Union Nos. 67, 73, 139, 166, 185, 261, 270, 291, 294, 297, 304, 324, 389, 886 and 1130.

Enclosed please find a copy of the Application Form and the Contest Rules and Application Instructions. Applications will be accepted beginning February 1, 2011 through no later than Friday, April 1, 2011. Please contact your Local Union or the District Council for more details or any questions regarding eligibility or application requirements.

Sincerely,

Oscar De La Torre, President  
Northern California Laborers Scholarship Foundation

Enclosures

ODLT:dle  
opeiu29(afl-cio)

# Northern California Laborers Scholarship Foundation

## 2011 Scholarship Award Program

### Contest Rules and Application Instructions

This year's program will award fifty (50) college scholarships of \$3,000 each, which must be used for full time (12 of more unites each semester for both semesters) study at any accredited U.S. college, university, or tradeschool in the upcoming school year. The following are the general rules and instructions for the 2011 Scholarship Award Program.

#### **Who May Apply:**

The applicant must be a child or legally adopted child of a member of a Local Union affiliated with the Northern California District Council of Laborers.

The parent of the applicant must be a member in good standing with the Local Union for at least one (1) year immediately preceding the date of application. If parent is deceased, the parent must have been a member in good standing for at least one (1) year immediately preceding the date of death. If the parent is retired, the parent must be a member in good standing for at least one (1) year immediately preceding the date of application (i.e. retiree dues currently being paid).

The applicant must be either:

- a high school senior of a public or private school who is graduating by the end of the Spring (2011) Semester, and plans to attend, full-time, an accredited college, university, or trade school in the United States, or
- a General Education Diploma student who will receive his/her GED by the end of the Spring Semester (2011), and plans to attend, full-time, an accredited college, university, or trade school in the United States, or
- a student currently enrolled in a minimum of 12 units at an accredited college, university, or trade school in the United States.

#### **Instructions:**

Applications will be accepted beginning February 1, 2011. All of the following items must be received by 5pm, Friday, April 1, 2011:

1. APPLICATION FORM – completed and signed by the applicant.
2. ESSAY – see application form for details.
3. OFFICIAL TRANSCRIPT – must be sealed in an envelope by an authorized official of the school and should be included in the complete application packet and must be received by our office by Friday, April 1, 2011.
4. LETTERS OF RECOMMENDATION - applicants should submit between one and three letters of recommendation giving information about their character and ability. These may be from teachers, community leaders, family friends, or others who know the applicant. Letter(s) of recommendation should be submitted with the application form.
5. UNION MEMBERSHIP STATUS – All applicants must submit a letter from the Local Union verifying the parent's membership status. This letter may be included with the application or sent directly from the Local Union.

**It is the responsibility of the applicant to ensure that all the above items are received on time and that they are sent to:**

#### **NORTHERN CALIFORNIA LABORERS SCHOLARSHIP FOUNDATION**

**4780 Chabot Drive, Suite 200  
Pleasanton, CA 94588-3322**

Please note that any incomplete submissions or submissions received after the deadline will not be entered into the contest. Applications may be delivered in person or by any mail/delivery service. Mail-in applications must be received no later than 5pm, Friday, April 1, 2011.

#### **Awarding Scholarships:**

Upon receipt of the application form and required application materials, the Northern California Laborers Scholarship Foundation will submit the application for judging to the University Scholarship Selection Committee, an independent outside group composed entirely of professional educators.

Apart from verifying the eligibility of the applicant, Northern California Laborers Scholarship Foundation will not exercise any choice among the various applicants or indicate in any way that one applicant should be favored over another.

All parts of the application, including any community service, school activities, GPA, essay, etc., will be considered during the selection of scholarship recipients. Based on factors normally used in awarding academic scholarships, the University Scholarship Selection Committee will submit to the Northern California Laborers Scholarship Foundation the list of the finalists to be awarded scholarships. The Northern California Laborers Scholarship Foundation will not impose restrictions of any kind on the course of study. Recipients may accept any other grants or awards which do not rule out scholarship aid or other sources. The recipient must remain a full time student during the entire school year for which the scholarship is awarded.

Scholarship winners will be notified by the Northern California Laborers Scholarship Foundation by August 1, 2011.

▶ DEADLINE: 5 PM, FRIDAY, APRIL 1, 2011 ◀

# Northern California Laborers Scholarship Foundation

## APPLICATION FORM

This scholarship is a partial scholarship that is awarded by the Northern California Laborers Scholarship Foundation to be applied toward the tuition, books, and materials of the selected recipient for the Fall 2011 - Spring 2012 school year. If you wish to apply, complete the form below, and carefully follow the enclosed Contest Rules and Application Instructions. Any applications that are incomplete at the close of the contest will be returned to the sender. Please note that the Foundation and the Scholarship Selection Committee will hold all information in this application in strict confidence.

**APPLICATION DEADLINE: RECEIVED IN OFFICE BY MONDAY, APRIL 1, 2011 – 5 PM**

*Please type or print in black ink.*

1. Name: \_\_\_\_\_  
Last First Middle

2. Date of Birth: \_\_\_\_\_

3. Social Security Number or Student ID Number: \_\_\_\_\_

4. Address: \_\_\_\_\_  
Street City State, Zip

5. Telephone Number(s) (include area code): \_\_\_\_\_

6. Current High School/College: \_\_\_\_\_

7. Date Diploma/Degree Received (or expected): \_\_\_\_\_

8. Qualifying Parent's Name: \_\_\_\_\_  
Last First Middle

Member ID # \_\_\_\_\_ Laborers' Local Union # \_\_\_\_\_ Membership Status: Active  Retiree  Deceased

9. Previous Scholarship(s) \_\_\_\_\_ Date(s) \_\_\_\_\_

10. Give a brief statement of your financial need (attach separate sheet if necessary): \_\_\_\_\_

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11. List any accomplishments, achievements, work experience, vocational/professional training, internships, certificates of proficiency, community service, hobbies, and affiliations (attach separate sheet if necessary):

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12. Please submit a short essay on the subject "What does the Labor Movement have in common with the Civil Rights and Human Rights Movements?" This essay should be typed or hand printed on a separate sheet.

Date: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

**Laborers Health and Welfare Trust Fund for Northern California**  
**220 Campus Lane**  
**Fairfield, CA 94534-1498**  
**1 (707) 864-2800 or 1 (800) 244-4530**  
**www.norcalaborers.org**

**IMPORTANT ANNOUNCEMENT**

UNDER THE LAW AND APPLICABLE REGULATIONS, THIS ANNOUNCEMENT AND SPECIAL ENROLLMENT FORM ARE BEING TRANSMITTED TO YOU FOR DELIVERY TO ANY OF YOUR CHILDREN WHO ARE ENTITLED TO SPECIAL ENROLLMENT RIGHTS

Date: January 14, 2011

To: All **Eligible** Active Plan, Special Plan for Active Employees, Retired Plan Individuals and their Dependents, including COBRA Beneficiaries

This Announcement advises you of certain material modifications that have been made to the Laborers Health and Welfare Trust Fund for Northern California Plans to comply with the new health care reform law.

**COVERAGE FOR DEPENDENT CHILDREN TO AGE 26**  
**EFFECTIVE JANUARY 1, 2011**  
**ONE-TIME SPECIAL ENROLLMENT PERIOD FOR A JANUARY 1, 2011 EFFECTIVE DATE**  
**BEGINS ON JANUARY 20, 2011 AND ENDS 30 DAYS LATER ON FEBRUARY 19, 2011**  
**FOR CHILDREN WHO HAVE LOST COVERAGE DUE TO**  
**PLAN LIMITATIONS ON DEPENDENCY STATUS**

The Affordable Care Act (the Act) was signed into law on March 23, 2010.

The Act provides certain mandated consumer protections, one of which allows young adults to be covered by their parents' health plan until they reach age 26 – "**the age-26 mandate**". This is a change from the current limiting age of 19 (23 if a full-time student).

The effective date for many of the preliminary mandated consumer protections under the Act is the first Plan Year on or after **September 23, 2010**. For the Laborers Health and Welfare Trust Fund, that date is **June 1, 2011**. However, we have decided to implement **the age-26 mandate** on **January 1, 2011** rather than waiting until the beginning of the Plan Year on **June 1, 2011**.

The prior eligibility requirements of children being unmarried, being a full-time student, being primarily dependent upon the Participant for support, or residing in the Participant's household are eliminated as of **January 1, 2011**.

Although not required until January 1, 2014, we have decided to offer **the age-26 mandate** to children who may have another employer sponsored health plan through their own employment or as a dependent under another employer sponsored health plan.

It should be noted at this time, the Retired Health and Welfare Plan is a **Retiree only plan** and as such, it is not subject to the Act. We have, however, decided to offer **the age-26 mandate** to the children of those eligible under the Retired Health and Welfare Plan. At this time, no further protections under the Act will apply to the Retired Laborers Health and Welfare Plan other than **the age-26 mandate**.

If you have a child, (son, daughter, stepchild, adopted child, or a child for whom you have legal guardianship), who is under the age of 26, including a child who may currently be on COBRA continuation of coverage, that child may be eligible to enroll in the Plan with coverage effective on January 1, 2011 if, during the Special Enrollment Period, the completed enrollment form included with this Important Announcement is received at the Trust Fund Office **within the 30-day period beginning January 20, 2011 through February 19, 2011**. This Special Enrollment opportunity applies to:

- children whose coverage under the Plan ended because they reached the limiting age, were not full-time students, primarily dependent upon you for financial support, or who graduated from college;
- children who were previously denied coverage under the Plan for being over the limiting age, not being a full-time student, or primarily dependent upon you for financial support; and
- children who are currently on COBRA continuation coverage because they lost eligibility under the Plan when they reached the limiting age and they did not maintain student status or they graduated from college.

**Warning:** Failure to enroll during the 30-day Special Enrollment Period may jeopardize any coverage under the Plan for a currently ineligible child's coverage to commence on **January 1, 2011**.

Enrollment forms arriving after the 30-day Special Enrollment Period will delay commencement of coverage to the date that the form arrives at the Trust Fund Office.

Any dependent children added during this Special Enrollment opportunity will have all the same benefits that are available to similarly situated individuals.

This new special enrollment opportunity afforded under the Federal law applies only to your **child who is eligible to be enrolled**. **It does not** extend to **their** spouse or **their** children.

If you are a retiree and you elect to enroll your child, you **may** be required to pay an additional premium to include a new dependent. Call the Trust Fund Office for information concerning the cost.

The Plan will continue to provide coverage for **disabled** adult children who are 26 and older in accordance with the eligibility rules set forth in the Plan Rules and Regulations. These rules extend coverage when the Eligible Employee's unmarried dependent child is incapable of self-sustaining employment by reason of a **mental or physical handicap**, provided that the Eligible Employee continues dependent coverage and such incapacity commenced prior to the date the dependent child's coverage would otherwise have terminated (now age 26), and provided that the child is dependent upon the Eligible Employee for support and maintenance.

#### NOTICE ABOUT THE EARLY RETIREE REINSURANCE PROGRAM

You are a Plan Participant, or are being offered the opportunity to enroll as a Plan Participant, in an employment-based health plan that is certified for participation in the **Early Retiree Reinsurance Program** (ERRP). The ERRP is a Federal program that was established **under the Affordable Care Act**. Under the ERRP, the Federal government reimburses a Plan Sponsor of an employment-based health plan for some of the costs of health care benefits paid on behalf of, or by, **early retirees** and certain family members of early retirees participating in the employment-based plan. By law, the program expires on January 1, 2014.

Under the ERRP, your Plan Sponsor may choose to use any reimbursements it receives from this program to reduce or offset increases in Plan Participants' premium contributions, co-payments, deductibles, co-insurance, or other out-of-pocket costs. If the Plan Sponsor chooses to use the ERRP in this way, you, as a Plan Participant, may experience changes that may be advantageous to you, in your health plan coverage terms and conditions, for so long as the reimbursements under this program are available and the Plan Sponsor chooses to use the reimbursements for this purpose. A Plan Sponsor may also use the ERRP reimbursements to reduce or offset increases in its own costs for maintaining your health benefits coverage, which may increase the likelihood that it will continue to offer health benefits coverage to its retirees and employees and their families.

**Because this Plan is a “grandfathered health plan,” we are required by law to provide this notice to you:**

It is believed that the Laborers Health and Welfare Trust Fund Active Plan and Special Plan for Active Employees are “grandfathered health plans” under the Patient Protection and Affordable Care Act (the Affordable Care Act). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that law was enacted.

Being a grandfathered health plan means that your plan may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits and the age-26 mandate.

Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the Trust Fund Office at 1 (707) 864-2800 or toll free at 1 (800) 244-4530, Monday through Friday, 8:00 AM to 5:00 PM. You may also contact the Employee Benefits Security Administration (EBSA), U.S. Department of Labor at 1 (866) 444-3272 or [www.dol.gov/ebsa/healthreform](http://www.dol.gov/ebsa/healthreform). This website has a table summarizing which protections do and do not apply to grandfathered health plans.

Should you have any questions, contact the Trust Fund Office at 1 (707) 864-2800 or Toll Free 1 (800) 244-4530, Monday through Friday, 8:00 AM to 5:00 PM.

Sincerely,

Board of Trustees

**Receipt of this notice does not constitute a determination of your eligibility. If you wish to verify eligibility, or if you have any questions regarding the Plan changes, contact the Trust Fund Office.**

*In accordance with ERISA reporting requirements, this document serves as your Summary of Material Modifications to the Plan.*

Keep this Important Announcement with  
your Health and Welfare Plan Booklets  
-March 2006 Active Plans  
-March 2007 Retired Plan