

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
LOCAL #38 HEALTH & WELFARE FUND BENEFIT PLAN**

**FOURTH SUMMARY OF MATERIAL MODIFICATION TO
THE MAY 1, 2022 SUMMARY PLAN DESCRIPTION**

Introduction

The Board of Trustees wishes to announce the following changes to the “I.B.E.W. Local No. 38 Health and Welfare Summary Plan Description/Plan Document for Active Inside, Residential, and Teledata Electricians” (“SPD”) dated May 1, 2022. This document should be read in conjunction with the SPD, which was provided to you previously. Information contained in this Summary of Material Modification (“SMM”) supersedes what is contained in the SPD. However, this SMM only changes those provisions of the SPD to which it specifically refers. The remaining provisions of the SPD remain unaltered. The changes set forth in this SMM are effective on the date indicated below.

Hours Bank Upon Termination or Resignation of Apprentices

The SPD is amended effective June 1, 2023 to clarify the termination of eligibility rules for apprentices in the Cleveland Electrical Joint Apprenticeship Training Committee Program (“JATC”). As explained below, apprentices that are terminated from the JATC, whether voluntary or involuntary, will immediately lose any Bank Hours. Therefore, Article III Section (N), entitled, “Eligibility Rules – Collectively Bargained Employees – Eligible Employees (Inside/Residential/Teledata/Specialty Shop): Termination of Individual Benefits,” is amended by adding the following provision to the existing language:

Apprentices terminated in accordance with Subsection (5) above, including both voluntary and involuntary terminations from the Cleveland Electrical Joint Apprenticeship Training Committee Program (“JATC”), will immediately forfeit any accumulated Bank Hours (See Section (B)(2) above) and will lose coverage as set forth in Subsection (5) above.

Weight Loss Drugs

In addition, this change to your plan is effective August 1, 2023, and causes the Plan to exclude weight loss drugs. While the Plan previously excluded “treatment, by methods such as dietary supplements, vitamins, and any care which is primarily dieting or exercise for weight loss,” this exclusion clarifies that drugs primarily used for weight loss are expressly excluded from coverage under the Plan. Therefore, Article IV, Section H, entitled, “General Exclusions and Limitations Applicable to All Benefits,” is amended to include exclusion 62 as follows:

62. For weight loss drugs, including those prescribed by a Physician.

Forfeiture of VEBA Account

Further, this change to your Plan is effective June 1, 2023, and causes the Plan to terminate and absorb the funds from your individual Voluntary Employee Beneficiary Association (“VEBA”) Account if your balance is less than one-thousand dollars (\$1,000) and you have been inactive for eighteen (18) consecutive months. Prior to this change, VEBA Accounts were terminated and absorbed if your balance was less than five-hundred dollars (\$500) and you were inactive for thirty-six (36) consecutive months.

Additionally, the changes provide that your individual VEBA Account balance will be terminated and the fund absorbed by the Plan if you are an apprentice who has either resigned or been terminated from the apprenticeship. The change also provides a specific exemption from these rules if you are a municipal employee under the terms of the Plan. Therefore, Article VII, Section B, Subsection 8 entitled, “Forfeiture of VEBA Account,” is amended to read as follows:

8. Forfeiture of VEBA Account: If your VEBA Account balance is less than one-thousand dollars (\$1,000), your individual VEBA Account balance will be terminated, and the amount will be absorbed by the Plan upon eighteen (18) consecutive months of individual Account inactivity. For these purposes, you are considered “inactive” for a month if you either fail to receive contributions to the Plan or do not receive any reimbursements from your VEBA Account.

For apprentices that are terminated from the JATC, including both voluntary and involuntary terminations, any amounts that have accumulated in your VEBA Account will be forfeited as of the date you are terminated from the JATC program.

This section does not apply if you are an Employee working with a city, municipality, or other governmental entity under an agreement with Union.

CONCLUSION

As stated in the Introduction, this SMM should be read in conjunction with the SPD. Information contained in this SMM supersedes what is contained in the SPD. However, this SMM changes only the provisions to which it specifically refers and any other provisions in the SPD have not been materially modified.

Please keep this notice with your SPD booklet, and if you have any questions regarding this SMM, please contact the Plan Administrator at (216) 431-7738.

Spanish (Español): Para obtener asistencia en Español, llame al (216) 431-7738

Chinese: 注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 (216) 431-7738.

**Board of Trustees
International Brotherhood of Electrical Workers Local No. 38
Health and Welfare Fund**