



SUMMARY OF MATERIAL MODIFICATIONS

Date: June 2024

To: Active Participants in the Operating Engineers Local #49 Health and Welfare Fund

From: The Board of Trustees

The Trustees of the Operating Engineers Local #49 Health and Welfare Fund are pleased to announce the following updates to the Plan of benefits. The updates are effective June 1, 2024. Please read this Summary of Material Modification (SMM) in its entirety.

- The Plan is amended, by adding a new Addendum, for the Worker Wellness Program (“WWP”)
 - When you work in the state of Minnesota under a collective bargaining agreement in which there is a waiver of the requirements of Minnesota’s Earned Sick and Safe Time law, your employer will make hourly contributions to the Fund for your Worker Wellness Program benefit.
 - When the Fund receives WWP contributions from your employer, the Fund will set-up a notional account for you, called your WWP Account (similar to your HRA Account).
 - If you are eligible in the Health Plan, and you have a balance in your Worker Wellness Account, the Worker Wellness Program pays you taxable wages when you miss work for reasons outside your control. Examples of such reasons include weather, illness or injury (yours or a family member’s), healthcare appointments, jury duty, death of a loved one, and temporary unavailability of full-time work from your current employer.
 - Your WWP benefits are accessible through the Health Plan’s website, www.health49.org. You can check your contribution history, check your eligibility status, see the current balance of your Worker Wellness Account, sign up for direct deposit, and submit claims for benefits.
 - The amount you receive will be post-tax – just like the wages you receive from your employer.
 - There is no limit on the number of hours you can claim, but you may not claim benefits when you did not miss work. You may not claim benefits after

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hours missed due to the termination of your employment or after retirement. You may not claim benefits for the time you spend between employers. Your reimbursement will be capped at the balance in your WWP Account.

- The unused balance of your Worker Wellness Account carries over from one year to the next. However, you must submit a claim for work you missed in any calendar year no later than January 15 of the following calendar year.

Example: John Doe misses work on September 15, 2024. He has until January 15, 2025 to submit a request for reimbursement for the hours he missed on September 15, 2024.

- If you go to work for a non-union employer within the industry, your eligibility will immediately terminate and you will forfeit the balance of your Worker Wellness Account.
- When you retire, you will no longer be eligible for benefits under this Program. However, upon retirement, the balance of your Worker Wellness Account will be rolled over to your HRA.
- If you die while you are eligible, the balance of your Worker Wellness Account will be paid to your estate.¹
- If you are a traveler, your Worker Wellness Account will not be credited with any contributions the Fund reciprocates to your home health fund. If contributions are reciprocated to your home health fund, the Worker Wellness Program does not apply to you. However, if there is no reciprocity agreement between the Fund and your home health fund, you will be treated like a Minnesota resident. Your eligibility and benefits will be determined by the hours you work in Minnesota.

Please keep this SMM with your SPD for easy reference. If you have any questions regarding this SMM or your Plan benefits, do not hesitate to contact the Fund Office at (800) 535-6373 or (952) 854-0795.

¹ The Board is seeking a private letter ruling from the Internal Revenue Service confirming the options available for transfer or distribution upon a participant's death.

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