



United Brotherhood of Carpenters Pension Plan

SUMMARY OF MATERIAL MODIFICATIONS

DATE: April 2021

TO: Participants in the United Brotherhood of Carpenters Pension Plan

FROM: Board of Trustees

RE: **Extension of Deadlines Due to COVID-19 Pandemic**

As you may recall, certain employee benefit plan deadlines have been suspended from March 1, 2020 until sixty (60) days after the announced end of the COVID-19 National Emergency (referred to as the “Outbreak Period”). However, other laws limit this suspension to a period of no more than 1 year from the date your individual action would otherwise have been required or permitted.

Thus, the suspension of deadlines during the Outbreak Period is limited to a maximum of one year from the deadline that normally would have applied or, if earlier, until 60 days after the announced end of the National Emergency (defined in this notice as the “Suspension Period”). Following the end of the Suspension Period, participants will be permitted the number of days defined by the Plan to take action with respect to the following deadlines:

- The 60-day deadline to appeal a denial of benefits. (see the April 2019 SPD at p. 39)
- The 90-day deadline to appeal a suspension of benefits. (SPD p. 38)

The President recently continued the COVID-19 National Emergency to remain in effect beyond March 1, 2021. Although we do not yet know when the President will end the COVID-19 National Emergency, solely for the purpose of illustrating the one-year limitation on Suspension Periods, the following examples *hypothetically* assume that the National Emergency will end on September 1, 2021, which means that the Outbreak Period would end on October 31, 2021 (the 60th day following the end of the National Emergency).

Example 1: A participant claiming benefits has 60 days following receipt of an adverse benefit determination within which to file an appeal. If the adverse benefit determination was received on March 1, 2020, the original deadline to file an appeal was April 30, 2020. Under the suspension rules the Suspension Period will end on the earlier of one year after the original deadline (i.e., April 30, 2021) or 60 days after the end of the Outbreak Period (i.e., December 30, 2021). Because of the one-year limitation on the suspension, the deadline to file an appeal will be April 30, 2021.

Example 2: If a participant receives a notice of denial of benefits on January 1, 2021, the 60-day deadline to file an appeal that would otherwise be due by March 2, 2021 is extended until 60 days after the end of the National Emergency. If the National Emergency ends on September 1, 2021, the Outbreak Period will end on October 31, 2021, and the Suspension Period for filing an appeal with the Administrative Office will end on December 30, 2021 (60 days after the end of the Outbreak Period). Note if the National Emergency Period extends beyond our hypothetical deadline of September 1, 2021, the maximum Suspension Period must end by March 2, 2022, one year after the original due date.

Example 3: If a retired participant receives a notice of suspension of benefits on January 1, 2021 and the original deadline to file an appeal would otherwise be due by April 1, 2021 (90 days after January 1, 2021). However, the period from January 1, 2021 until the end of the Outbreak Period (60 days after the end of the National Emergency), or, if earlier, one year after January 1, 2021 does not count against the 90-day period to file an appeal. If the National Emergency ends on September 1, 2021, the Outbreak Period will end on October 31, 2021, and the deadline to file an appeal will end on January 30, 2022 (90 days after October 31, 2021). Note if the National Emergency Period extends beyond our hypothetical deadline of September 1, 2021, the maximum Suspension Period must end by April 1, 2022, one year after the original due date.

Please note that the Trust Fund will send an updated notice about the end of your Suspension Periods once the end date for the COVID-19 National Emergency is known.

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Should you have any questions regarding the above changes or need assistance in determining a due date, please contact the Administrative Office at (855) 550-1696.

A copy of the SMM is also located on the participant website www.UBCbenefits.org.