NAME: **SS#:**

UFCW Unions and Participating Employers Health and Welfare Fund

EMPLOYER:	Kroger	**LOCAL:**	400
DATE OF HIRE:	January 2, 1999	**STATUS:**	Part Time
PLAN:	RNK1		

ISSUE: Eligibility – Not Eligible #E17/173-7433

FUND RULE:

"Part-Time Participants

C-1. All Part-time participants, regardless of hire date; shall be defined as those associates who were paid an average of twenty-five (25) hours per week but less than thirty (30) hours per week during the twelve (12) month measurement period." (Memorandum of Agreement By and Between Mid-Atlantic Division of Kroger and UFCW Local 400, May 2016, Pages 6-7)

"Open Enrollment Letter to Participants

Which Plan am I eligible for: RNK1, RNK2, or RNK3 in 2017?

- If you were hired on or before 9/1/13 and were paid for an average of at least 25 hours per week and you are currently enrolled on RNK1, you are eligible to choose RNK1, RNK2, or RNK3."

(Quoted from November 18th to December 19th, 2016 Open Enrollment Letter to All Participants, Page 2)

SUMMARY: Appeal Received: June 6, 2017

The **participant** is appealing to be allowed immediate reinstatement for Fund coverage. The participant states, "In December of 2016, I received a letter saying my insurance was going to be cancelled. I have missed a lot of work due to health issues. I was hired December of 1999 so I should be grandfathered to at least have part time insurance. I was told I average 24.5 paid hours towards qualification of benefits. Grandfathered individuals only needed to have 20 paid hours. I have stopped necessary doctor's appointments and not had prescriptions filled due to this. Please look into this and reinstate my benefits."

Fund records indicate the participant's original hire date was January 2, 1999. The participant's average for the 12 month measurement period was 24.753 hour per week. Her coverage was terminated on December 31, 2016, because she averaged fewer than 25 hours per week during the measurement period.

ACTION: **Approved** ☐ **Denied** ☐ **Tabled** ☐

COMMENTS:

NAME: **SS#:**

UFCW Unions and Participating Employers Health and Welfare Fund

EMPLOYER:	Kroger	**LOCAL:**	400
DATE OF HIRE:	January 3, 2013	**STATUS:**	Part Time
PLAN:	RNK3		

ISSUE: Eligibility – Not Eligible #E17/165-1328

FUND RULE:

"Part-Time Participants

C-1. All Part-time participants, regardless of hire date; shall be defined as those associates who were paid an average of twenty-five (25) hours per week but less than thirty (30) hours per week during the twelve (12) month measurement period." (Memorandum of Agreement By and Between Mid-Atlantic Division of Kroger and UFCW Local 400, May 2016, Pages 6-7)

"Open Enrollment Letter to Participants

Which Plan am I eligible for: RNK1, RNK2, or RNK3 in 2017?

- If you were hired on or before 9/1/13 and were paid for an average of at least 25 hours per week and you are currently enrolled on RNK1, you are eligible to choose RNK1, RNK2, or RNK3."

(Quoted from November 18th to December 19th, 2016 Open Enrollment Letter to All Participants, Page 2)

SUMMARY: Appeal Received: May 15, 2017

The **participant** is appealing to be allowed immediate reinstatement for Fund coverage. The participant states, "For the most part I worked 25 plus hours last year, I had to decrease some hours for a while due to my husband's health and I had a heart attack. According to the Union book I was okay because I worked over 20 hours a week and was hired before September 1, 2013."

Fund records indicate the participant's original hire date was January 3, 2013. The participant's average for the measurement period is 24.8315 hour per week. Her coverage was terminated on December 31, 2016, because she averaged fewer than 25 hours per week during the measurement period.

ACTION: **Approved** ☐ **Denied** ☐ **Tabled** ☐

COMMENTS: