

Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson
President

February 28, 2020

David D. Joynt
Secretary-Treasurer

To: GENERAL CHAIRMAN JASON GRAHAM
9835 SOUTH AVE UNIT # 2
POLAND, OH 44514-3482

Re: 2020 National Plan Spouse Audit

Dear Brothers and Sister:

Attached is a list of several BMWED Members from your respective System Division or Federation that have failed to respond or provide satisfactory documentation to United Healthcare to verify their spouse's eligibility during the 2020 Spouse Audit of the Railroad Employees National Health and Welfare Plan. I am writing to encourage you to make every reasonable effort to contact these Members and advise them of their need to respond and provide satisfactory documentation to United Healthcare as soon as possible but no later than March 31, 2020, so that their spouse and any related stepchildren do not lose their health and welfare benefits coverage.

As previously advised, the Joint Plan Committee, consisting of the National Carriers' Conference Committee (NCCC) and the Cooperating Railway Labor Organizations (CRLO) Health and Welfare Committee, agreed to conduct an eligibility audit of spouses covered under the Railroad Employees National Health and Welfare Plan, beginning January 1, 2020 and continuing through March 31, 2020. Members that are contacted in connection with the Spouse Audit are required to provide satisfactory documentation to United Healthcare (UHC) prior to March 31st to verify their marriage and, thus, eligibility of coverage for their spouse. Satisfactory documentation includes but is not limited to the top portion of the 2018 or 2019 IRS Form 1040 showing married status, a recent joint bank statement (dated no earlier than July 1, 2019), or other documentation that is approved by UHC. Failure to respond or provide satisfactory documentation will result in spouse coverage, as well as any related stepchildren coverage, being terminated by UHC effective as soon as administratively practicable but no later than May 1, 2020.

There have been multiple mailings and emails to the membership from UHC's Railroad Enrollment Services prior to and throughout the Spouse Audit. Attached for your reference are examples of these communications. Additionally, BMWED National Division has posted information on the National Division website and Facebook as well as sent an email blast to Members regarding the audit. Despite the multiple communications, **over 9,600 BMWED Members have failed to respond or provide satisfactory documentation to verify their marriage to their spouse** as of February 24, 2020. This is problematic because, again, failure to respond or provide satisfactory documentation will result in spouse coverage, as well as any related stepchildren coverage, being terminated by UHC.

The railroads have committed to "direct deliver" spouse audit communications that are returned to UHC as "undeliverable" to the recipient employee. However, the railroads are permitted to carry

41475 Gardenbrook Road
Novi, MI 48375-1328
Telephone 248.662.2660 Facsimile 248.662.2659
www.bmwe.org

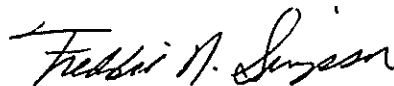


out “direct delivery” to these employees through the railroads “customarily utilized methods” (e.g., hand-delivery, in-person notification, telephone, email or other electronic means) used for employment-related communications. While the commitment from the railroads is appreciated, it does not close the gaps in communication with BMWED Members. Therefore, to avoid further reduce the potential of BMWED Members losing coverage for their spouse and stepchildren as a result of the audit, BMWED National Division will continue to post information on the National Division website and Facebook page and we will continue to perform email blasts. Additionally, UHC’s Railroad Enrollment Services will continue to provide informational letters via U.S. Mail and email.

Again, the System Division and Federation Offices are encouraged to contact the Members identified on the attached spreadsheet, as well as continue to communicate with their other respective Members, about the spouse audit and the importance of responding and providing satisfactory documentation to United Healthcare as soon as possible but no later than March 31, 2020. **Members should contact Railroad Enrollment Services at 888-753-2692 if they have questions about the audit.**

If you have any questions regarding this subject matter, please do not hesitate to contact Director of Strategic Coordination and Research Peter Kennedy at 248-662-2614 or peterk@bmwe.org or Administrative Secretary Victoria Thurlow at 248-662-2610 or vthurlow@bmwe.org.

Fraternally,



Freddie N. Simpson
President

cc: D. Joynt
P. Kennedy
V. Thurlow
C. Ballew
D. Inclima

Attachments



RESPONSE REQUIRED BY MARCH 31, 2020

January 1, 2020

Dear Railroad Employee,

The Railroad Employees National Health and Welfare Plan and The National Railway Carriers and United Transportation Union (NRC/UTU) Health and Welfare Plan (each a “Plan”) are conducting a spouse eligibility audit to ensure that only eligible spouses are covered by the Plans. As part of this audit, you are required to submit documentation verifying that you are still married to the spouse listed on Plan records. **You must submit proper documentation by March 31, 2020.**

The Plan defines an “eligible spouse” as the employee’s spouse, including a same sex spouse. An eligible same sex spouse under the Plan requires that a marriage ceremony must have occurred in a state or foreign country that both recognizes same sex marriage and issues a certificate of marriage. Additionally, a common law marriage is eligible only if you live in a state that recognizes common law marriage and the proper documentation is submitted. A domestic partner and/or a civil union partner is not an eligible spouse under the Plan.

The enclosed form provides a list of acceptable documents and instructions on how to verify your marital status. It is imperative that you respond to this request and either: (1) provide acceptable documentation that you are still married to the spouse listed on Plan records, or (2) confirm that you are no longer married to the spouse listed on Plan records. If you respond that you are no longer married to the spouse listed on Plan records, coverage for your former spouse will be terminated under the Plan, as well as the Railroad Employees National Dental Plan and the Railroad Employees National Vision Plan, effective as soon as administratively practicable. **If you do not respond or you provide inadequate documentation, coverage for your spouse (as identified in Plan records) will be terminated as soon as administratively practicable following the end of the audit period (March 31, 2020).** Additionally, if your spouse (or former spouse) is disenrolled from the Plan, any stepchildren associated with the marriage, if applicable, will also be disenrolled unless you submit satisfactory proof of legal adoption.

Please note that if you voluntarily come forward during this time period to request that an ineligible spouse and any stepchildren be removed from the Plan, you will not be penalized or required to pay back any claim charges.

If you have any questions about this letter or need additional information, please call Railroad Enrollment Services at 1-800-753-2692.

Railroad Enrollment Services

Acceptable Documents to Verify Your Spouse’s Eligibility

Please submit one of the following documents:

- The first page of your 2018 or 2019 IRS Form 1040 federal tax return (you may black out any income amounts listed) confirming you and your spouse are still married.
- A joint banking statement dated no earlier than July 1, 2019.
- Other satisfactory documentation dated no earlier than July 1, 2019. Please contact Railroad Enrollment Services at 1-800-753-2692 to confirm the document is acceptable.

The document should include your name, the name of your spouse, your mailing address, and the date. If mailing documentation, please send photocopies only. We will not return your materials.

Method to Verify or Remove Your Spouse from the Plan

Please select one of the following options:

Option 1 Online - You can securely attest electronically via www.yourtracktohealth.com. On the home page in the upper right hand corner, click on the blue box stating “SPOUSE AUDIT- Click here to verify your spouse”. To verify your spouse’s eligibility, check the confirmation box and upload the appropriate documentation. To remove your spouse (and any stepchildren associated with the marriage, if applicable) from the Plan, click “delete” and select the appropriate reason. Please note that if you choose to attest electronically, you will be **required** to upload your documents prior to finishing your confirmation.

Or

Option 2 By Mail - If you choose to reply by mail, please check the appropriate box below, sign and date, and mail proper documentation in the envelope provided. If you use an envelope other than the one provided, please use the following address: Railroad Enrollment Services, PO Box 30601, Salt Lake City, UT 84130-0601.

Please check the appropriate box below:

- I hereby attest that the above listed person is still my spouse. I understand the eligibility requirements and I have enclosed the required documentation to substantiate the relationship of my enrolled spouse.
- The above listed spouse (and any stepchildren associated with the marriage, if applicable) is no longer eligible as of _____. (If no date is provided, we will use the date this form is signed). No additional documentation is required.

Please sign your name (employee name) and date:

Employee Name

Date



RESPONSE REQUIRED BY MARCH 31, 2020

February 15, 2020

Dear Railroad Employee,

You were previously sent a letter dated January 1, 2020, advising that The Railroad Employees National Health and Welfare Plan and The National Railway Carriers and United Transportation Union (NRC/UTU) Health and Welfare Plan (each a “Plan”) are conducting a spouse eligibility audit to ensure that only eligible spouses are covered by the Plans. As part of this audit, you are required to submit documentation verifying that you are still married to the spouse listed on Plan records. **You are receiving this follow-up letter because you have not responded – to avoid interruption or discontinuation of coverage for your spouse (as defined in Plan records) you must submit proper documentation by March 31, 2020.**

The Plan defines an “eligible spouse” as the employee’s spouse, including a same sex spouse. An eligible same sex spouse under the Plan requires that a marriage ceremony must have occurred in a state or foreign country that both recognizes same sex marriage and issued a certificate of marriage. Additionally, a common law marriage is eligible only if you live in a state that recognizes common law marriage and the proper documentation is submitted. A domestic partner and/or a civil union partner is not an eligible spouse for purposes of coverage under the Plan.

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Please note that if you voluntarily come forward during this time period to request that an ineligible spouse and any stepchildren be removed from the Plan, you will not be penalized or required to pay back any claim charges.

If you have any questions about this letter or need additional information, please call Railroad Enrollment Services at 1-800-753-2692.

Railroad Enrollment Services

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The document should include your name, the name of your spouse, your mailing address, and the date. If mailing documentation, please send photocopies only. We will not return your materials.

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Please check the appropriate box below:

- I hereby attest that the above listed person is still my spouse. I understand the eligibility requirements and I have enclosed the required documentation to substantiate the relationship of my enrolled spouse.
- The above listed spouse (and any stepchildren associated with the marriage, if applicable) is no longer eligible as of _____. (If no date is provided, we will use the date this form is signed). No additional documentation is required.

Please sign your name (employee name) and date:

Employee Name

Date