

OPERATING ENGINEERS TRUST FUNDS

I.U.O.E. LOCAL 12 HEALTH & WELFARE / PENSION / VACATION / TRAINING

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WEBSITE: www.oefi.org



Employer Name
Address 1
Address 2
City State Zip Code

MEMORANDUM

January 29, 2018

TO: Employers Signatory to Agreements Requiring Contributions to the
Operating Engineers Health & Welfare Fund

FROM: BOARD OF TRUSTEES
Operating Engineers Health & Welfare Fund

SUBJECT: AFFORDABLE CARE ACT CERTIFICATION FOR CALENDAR YEAR 2017

The Operating Engineers Health & Welfare Fund (“Fund”) is a multiemployer plan providing health care benefits to the eligible employees, and their eligible dependents, of contributing employers.

Some of the eligible employees receive health care benefits through fully insured HMOs while others receive benefits from the Fund’s self-insured, self-administered PPO plan. The Fund Office will be filing with the federal government Forms 1094-B and 1095-B listing months of eligibility for each eligible employee and any eligible dependents covered by the Fund’s PPO plan. The Fund Office will also deliver this information directly to the covered employees and enrolled dependents. The HMOs will be filing and providing the same information with respect to eligible employees and dependents covered by the HMOs.

This notice gives important information about the third year of employer reporting requirements imposed by the Affordable Care Act. Beginning in early 2018, large employers (generally 50 or more full time employees) are required by Internal Revenue Code Section 6056 to complete IRS Forms 1094-C and 1095-C to report information on 2017 coverage necessary for enforcement of the ACA’s employer mandate. The Fund will not handle the filing or furnishing of any forms under Section 6056 on behalf of any contributing employer. Each employer is responsible for compliance with these requirements with regard to its employees. **If your company does not have 50 or more full time employees, this letter does not apply to you.**

It was previously thought that employers would need to obtain participant specific data from the multiemployer health plans to which they contribute to be able to complete the necessary IRS forms. However, based upon guidance issued by the IRS, it appears that the scope of information that employers need has been changed by the IRS. As a result of these changes, employers eligible for the multiemployer interim guidance no longer need enrollment and eligibility information to complete their filings for multiemployer plan coverage.



Employer ID

2017 Instructions & Good Faith Compliance Standard

The Fund's consultants have advised that the final instructions issued last year for Forms 1094-C and 1095-C clarify that employers relying upon the multiemployer interim guidance should enter code 1H (no offer of coverage) on line 14 and code 2E (multiemployer interim guidance) on line 16 of Form 1095-C. The bulleted information below should assist employers in confirming their entitlement to multiemployer interim guidance.

The Fund:

- Offers minimum value coverage;
- Offers coverage to dependent children through the end of the month in which he/she turns age 26;
- Imposes no premium on employee-only coverage; and
- Does not require "cost sharing" from eligible participants for their eligible dependents.

Please see the Fund's Summary of Benefits and Summary Plan Description for more details which are posted on the Trust Fund's website at: www.oefi.org.

Questions

For more specific information on the reporting, please review the IRS instructions for completion of Forms 1094-C and 1095-C, with your attorneys and advisors. You may obtain copies of the Forms and instructions at www.irs.gov.

The information provided here is not intended as legal or tax advice regarding the employer mandate or the reporting requirements under the ACA, and the Fund is not responsible for providing any such advice. The Fund also is not responsible for any penalties that may be assessed in connection with the reporting requirements under Internal Revenue Code Section 6056. The information contained herein is believed to be correct under current guidance; however, the accuracy of the information may be affected by subsequent developments.