



## JOINT INDUSTRY BOARD OF THE ELECTRICAL INDUSTRY

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Dear Employer:

Under the provisions of the Affordable Care Act (ACA), contributing employers to the Pension, Hospitalization and Benefit Plan (PHBP) are required to notify their existing employees of the new health insurance exchanges, known as the "Marketplaces," by no later than October 1, 2013 and new employees hired thereafter within 14 days of the date of hire.

Attached is a draft notice, prepared by ERISA counsel to the Joint Industry Board that you may choose to furnish to all of your Local 3 Union-represented employees who are covered under the PHBP. In addition, if you receive any inquiries from your Local 3 employees you may inform them of the following:

- You are a contributing employer to the PHBP, which is a multiemployer plan, pursuant to a collective bargaining agreement or participation agreement.
- Coverage is offered under the PHBP to full-time employees and their dependents.
- The PHBP complies with ACA's 90 day limitation rule on waiting periods and coverage is offered to full-time employees.
- The cost of the PHBP is affordable and the PHBP provides minimal value.

Please note, however, that providing the above information does not fulfill your obligation to provide notice of the Marketplace, which needs to be in writing and to include information in the attached model. Should you have any questions, or need additional information you may contact Laura Taylor O'Boyle at 718-591-2000, ext. 1316.

This information is also posted on the employer and employee portions of the JIB website: [www.jibei.org](http://www.jibei.org).

Sincerely,

The Joint Industry Board of  
the Electrical Industry

## **SAMPLE ACA MARKETPLACE NOTICE**

**To:** All Employees

**From:**

**Date:**

**Subject:** The New Health Insurance Marketplace

When key parts of the Affordable Care Act take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace (previously referred to as the "exchange"). The Marketplace offers "one-stop shopping" to find and compare private health insurance options. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

The law requires us to notify you about the Marketplace, and we are providing you this notice to give you the required information. However, we wish to point out that if you are enrolled in *or eligible to enroll in* the health coverage we offer to you through your employment under the Pension Hospitalization and Benefit Plan ((PHBP), it is unlikely that you would benefit from buying health insurance in the Marketplace.

- First, you will not be eligible for a premium tax credit under Section 36B of the Internal Revenue Code to purchase a qualified health plan through the Marketplace unless the coverage your employer offers you does not meet certain standards. The coverage we offer you under the PHBP, however, not only meets, but exceeds those standards. The coverage we offer you through your employment is both **affordable** and provides **minimum value**, as those terms are defined under the Affordable Care Act. If you are not yet eligible to enroll in the coverage we offer, you might be able to benefit from the premium tax credit, at least until you become enrolled in the coverage we offer.
- Second, you would have to pay for the entire cost of coverage in the Marketplace yourself, which means you would lose the benefit of our contribution/payment for your coverage (if you are enrolled).

- Third, while what we pay for your health coverage is excluded from your income for Federal and State income tax purposes, you would have to pay for coverage in the Marketplace using after-tax dollars.

For more information about the coverage you get through your employment with us, please check your PHBP summary plan description or contact Laura Taylor O'Boyle at the Joint Industry Board at (718) 591-2000, extension 1316. You can visit [HealthCare.gov](http://HealthCare.gov) for more information about the Health Insurance Marketplace and contact information for a Health Insurance Marketplace in your area.

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