**UE Local 506**

**Bulletin 5/17/21**

**Pennsylvania Extended Benefits (EB) Program Ends**

The [Extended Benefits (EB) program](https://www.uc.pa.gov/Documents/UCP%20Forms/ucp-9.pdf) will end in Pennsylvania, due to the declining unemployment rate. The last payable week of Extended Benefits (EB) is the **week ending May 15, 2021.**

Individuals who had been collecting EB will transition back to federal [Pandemic Emergency Unemployment Compensation (PEUC)](https://www.uc.pa.gov/unemployment-benefits/file/Pages/Filing-for-PEUC.aspx). This transition will be automatic, meaning **claimants do not need to do anything to be moved from EB to PEUC**. Additionally, the change in program will not cause any changes in the filing process or benefit amount.

**History**

Extended Benefits (EB) were additional Unemployment Compensation benefits payable to qualified workers when an "Extended Benefit Period" occurs in Pennsylvania. An EB period begins following the third week after the unemployment rate reached a certain level determined by law then triggers off after it falls below that same level.

The most recent EB period began May 3, 2020, but benefits were not payable until an individual had exhausted PEUC benefits. Therefore, EB payments were only payable from week ending July 4, 2020 through week ending May 15, 2021.

The EB [weekly benefit rate (WBR)](https://www.uc.pa.gov/unemployment-benefits/benefits-information/Pages/Weekly-Benefit-Rate.aspx) was the same as the rate payable to individuals on their qualifying regular unemployment compensation claim, including dependents' allowances (DA).

**FAQS ABOUT COBRA PREMIUM ASSISTANCE UNDER THE AMERICAN RESCUE PLAN ACT OF 2021**

**I have heard that the ARP included temporary COBRA premium assistance to pay for health coverage. I would like more information**.

The ARP provides temporary premium assistance for COBRA continuation coverage for Assistance Eligible Individuals (see Q3 to determine if you are eligible). COBRA allows certain people to extend employment-based group health plan coverage, if they would otherwise lose the coverage due to certain life events such as loss of a job. Individuals may be eligible for premium assistance if they are eligible for and elect COBRA continuation coverage because of their own or a family member’s reduction in hours or an involuntary termination from employment. This premium assistance is available for periods of coverage from April 1, 2021 through September 30, 2021. This premium assistance is generally available for continuation coverage under the Federal COBRA provisions, as well as for group health insurance coverage under comparable state continuation coverage (“mini-COBRA”) laws. If you were offered Federal COBRA continuation coverage as a result of a reduction in hours or an involuntary termination of employment, and you declined to take COBRA continuation coverage at that time, or you elected Federal COBRA continuation coverage and later discontinued it, you may have another opportunity to elect COBRA continuation coverage and receive the premium assistance, if the maximum period you would have been eligible for COBRA continuation coverage has not yet expired (if COBRA continuation coverage had been elected or not discontinued).

 **Which plans does the premium assistance apply to?**

The COBRA premium assistance provisions apply to all group health plans sponsored by private-sector employers or employee organizations (unions) subject to the COBRA rules under the Employee Retirement Income Security Act of 1974 (ERISA). They also apply to plans sponsored by State or local governments subject to the continuation provisions under the Public Health Service Act. The premium assistance is also available for group health insurance required under state mini-COBRA laws.

**How can I tell if I am eligible to receive the COBRA premium assistance?**

The ARP makes the premium assistance available for “Assistance Eligible Individuals.” An Assistance Eligible Individual is a COBRA qualified beneficiary who meets the following requirements during the period from April 1, 2021 through September 30, 2021:

• Is eligible for COBRA continuation coverage by reason of a qualifying event that is a reduction in hours (such as reduced hours due to change in a business’s hours of operations, a change from full-time to part-time status, taking of a temporary leave of absence, or an individual’s participation in a lawful labor strike, as long as the individual remains an employee at the time that hours are reduced) or an involuntary termination of employment (not including a voluntary termination); and

• Elects COBRA continuation coverage. However, you are not eligible for the premium assistance if you are eligible for other group health coverage, such as through a new employer’s plan or a spouse’s plan (not including excepted benefits, a qualified small employer health reimbursement arrangement (QSEHRA), or a health flexible spending arrangement (FSA)), or if you are eligible for Medicare. Note that if you have individual health insurance coverage, like a plan through the Health Insurance Marketplace®2, or if you have Medicaid, you may be eligible for ARP premium assistance.

 However, if you elect to enroll in COBRA continuation coverage with premium assistance, you will no longer be eligible for a premium tax credit, advance payments of the premium tax credit, or the health insurance tax credit for your health coverage during that period. Note: If the employee’s termination of employment was for gross misconduct, the employee and any dependents would not qualify for COBRA continuation coverage or the premium assistance.

 **If I am eligible for the premium assistance, how long will it last?**

Your premium assistance can last from April 1, 2021 through September 30, 2021. However, it will end earlier if: • You become eligible for another group health plan, such as a plan sponsored by a new employer or a spouse’s employer (not including excepted benefits, a QSEHRA, or a health FSA), or you become eligible for Medicare\*\*, or • You reach the end of your maximum COBRA continuation coverage period. If you continue your COBRA continuation coverage after the premium assistance period, you may have to pay the full amount of the premium otherwise due. Failure to do so may result in your loss of COBRA continuation coverage. Contact your plan administrator, employer sponsoring the plan, or health insurance issuer for more information. When your COBRA premium assistance ends, you may be eligible for Medicaid or a special enrollment period to enroll in coverage through the Health Insurance Marketplace® or to enroll in individual market health insurance coverage outside of the Marketplace. A special enrollment period is also available when you reach the end of your maximum COBRA coverage period. You may apply for and, if eligible, enroll in Medicaid coverage at any time. For more information, go to: https://www.healthcare.gov/medicaid-chip/getting-medicaid-chip/. \*\*Individuals receiving the COBRA premium assistance must notify their plans if they become eligible for coverage under another group health plan (not including excepted benefits, a QSEHRA, or a health FSA), or for Medicare. Failure to do so can result in a tax penalty.

**Who is eligible for an additional election opportunity for COBRA continuation coverage?**

 A qualified beneficiary whose qualifying event was a reduction in hours or an involuntary termination of employment prior to April 1, 2021 and who did not elect COBRA continuation coverage when it was first offered prior to that date or who elected COBRA continuation coverage but is no longer enrolled (for example, an individual who dropped COBRA 2 Health Insurance Marketplace® is a registered service mark of the U.S. Department of Health & Human Services. 4 continuation coverage because he or she was unable to continue paying the premium) may have an additional election opportunity at this time. Individuals eligible for this additional COBRA election period must receive a notice of extended COBRA election period informing them of this opportunity. This notice must be provided within 60 days of the first day of the first month beginning after the date of the enactment of the ARP (so, by May 31, 2021) and individuals have 60 days after the notice is provided to elect COBRA. However, this additional election period does not extend the period of COBRA continuation coverage beyond the original maximum period (generally 18 months from the employee's reduction in hours or involuntary termination). COBRA continuation coverage with premium assistance elected in this additional election period begins with the first period of coverage beginning on or after April 1, 2021. Individuals can begin their coverage prospectively from the date of their election, or, if an individual has a qualifying event on or before April 1st, choose to start their coverage as of April 1st, even if the individual receives an election notice and makes such election at a later date. In either case, please note that the premium assistance is only available for periods of coverage from April 1, 2021 through September 30,2021.

 **I am an Assistance Eligible Individual who has been enrolled in COBRA continuation coverage since December 2020. Will I receive a refund of the premiums that I have already paid?**

No. The COBRA premium assistance provisions in the ARP apply only to premiums for coverage periods from April 1, 2021 through September 30, 2021. If you were eligible for premium assistance, but paid in full for periods of COBRA continuation coverage beginning on or after April 1, 2021 through September 30, 2021, you should contact the plan administrator or employer sponsoring the plan to discuss a credit against future payments (or a refund in certain circumstances.)

**How can I get more information on my eligibility for COBRA continuation coverage or the premium assistance, including help if my employer has denied my request for the premium assistance?**

For group health plans sponsored by private-sector employers, guidance and other information is available on the DOL web site at https://www.dol.gov/cobra-subsidy. You can also contact one of EBSA’s Benefits Advisors at askebsa.dol.gov or 1.866.444.3272. EBSA’s Benefits Advisors may also be able to assist if you feel that your plan or employer has improperly denied your request for treatment as an Assistance Eligible Individual. Employers and plans may be subject to an excise tax under the Internal Revenue Code for failing to satisfy the COBRA continuation coverage requirements. This tax could be as much as $100 per qualified beneficiary, but not more than $200 per family, for each day that the plan or employer is in violation of the COBRA rules. If you feel you may have been improperly denied premium assistance, contact EBSA at askebsa.dol.gov or 1.866.444.3272.

**Mask Policy Update**

Mask mandates are changing, and the guidance provided has created more questions than answers. The union inquired with the company to understand exactly how these changes will impact Wabtec’s mask policy. Union Relations informed us that the EHS team is working with the Erie County Health Department to understand what changes are necessary. The company expects to have proper guidance by Wednesday, May 19. We will continue to keep you informed of any additional information as it becomes available.