



JOINT INDUSTRY BOARD OF THE ELECTRICAL INDUSTRY

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IMPORTANT AFFORDABLE CARE ACT IRS REPORTING INFORMATION

This information pertains to all large employers who contribute to the Pension, Hospitalization and Benefit Plan of the Electrical Industry (“PHBP”) and are required to provide IRS Form 1095-C to their employees for 2015.

New instructions for IRS Form 1095-C, released on September 16th, simplify Affordable Care Act reporting for employers that contribute to multiemployer plans. Therefore, using the interim multiemployer reporting rules, employers who are required by their collective bargaining agreements to contribute to the PHBP will not be required to get specific information pertaining to eligibility or coverage under the PHBP from the Joint Industry Board (JIB).

The new instructions allow employers that are required to contribute to multiemployer plans to enter codes that simply indicate that the employer was bound to make contributions to a multiemployer plan with respect to the employee, so long as the plan provides affordable, minimum-value coverage. Specifically, the employer will enter code “1H” on line 14 of the Form 1095-C and “2E” on line 16. Thus, at least for months where the employer is required to make contributions to the multiemployer plan on the employee’s behalf, the employer need not get confirmation from the JIB whether the employee was eligible for coverage or was actually covered. This relief applies only for the 2015 reporting year, and may change for reports for 2016 information, which will be due in 2017.

Please note the following that you may rely on when completing the Form:

- The PHBP is a multiemployer plan.
- The PHBP complies with ACA’s 90 day limitation rule on waiting periods.
- Coverage is offered under the PHBP to full-time employees and their dependents, including children through their 26th birthday.

- The cost of PHBP coverage is affordable to employees and the PHBP provides minimal value coverage.

Whereas we previously indicated that we thought it would be necessary for the JIB to provide specific information on each eligible employee to contributing employers obligated to complete Form 1095-C, this is no longer the case. As each employer has the necessary information to complete the Form on its own, using the codes indicated above, no additional information from the JIB will be required.

If you are using a payroll company to complete your IRS Forms, you may wish to forward this notice to their attention. We also suggest that you consult with your company's legal counsel and/or tax advisor on this matter.

Information pertaining to the reporting requirements for large employers may be found on the IRS website at:

<http://www.irs.gov/Affordable-Care-Act/Employers/ACA-Information-Center-for-Applicable-Large-Employers-ALEs>

Typically, a large employer is defined as one who employs over 50 full-time employees, but each employer must decide if they meet the criteria as defined by the IRS.

If you have any questions concerning this matter, please contact Laura Taylor-O'Boyle at (718) 591-2000, extension 1316.

Sincerely,

The Joint Industry Board of the
Electrical Industry