



**Local Union No. 164 of the
International Brotherhood of Electrical Workers
of Hudson, Bergen and Essex Counties, New Jersey**

RIGHT OF APPEAL

You or your beneficiary have the right to appeal any denial of an application for benefits under the Plan. If your claim for benefits is denied, in whole or in part, the Trustees will provide you with a written explanation of the reasons for the denial within 90 days from the date your application is received.

Any notice to you or your beneficiary that your claim has been denied will include the following:

- The specific reason(s) for the denial;
- Specific reference to the Plan provisions on which the denial is based;
- If applicable, a description of any additional material or information necessary to complete the claim and an explanation of why the material or information is necessary; and
- A description of the steps which should be taken by you or your beneficiary to appeal the denial of benefits.

Special circumstances may require more than 90 days to process your claim and make a determination. In such a case, a notice of the extension will be mailed to you within 90 days from the date your claim was received and the extension notice will indicate the special circumstances which required the extension of time and the date by which the Plan expects to render the final decision. If your claim is denied, notice of the denial will be sent to you within 180 days from the date your claim was received. If you do not receive notice of the denial, or a notice of the extension, within 90 days from the date your claim was received, the claim shall be deemed denied and you may proceed to the review stage and file a request for appeal.

You will have 60 days from the date you receive the notice of denial of your claim to file a request for an appeal of a denial of benefits. The request must be made in writing to the Trustees. In preparing for your appeal, you or your authorized representative may, upon request, review documents pertinent to the claim and submit issues and comments in writing.

The Trustees (or an appropriate committee thereof) will render all decisions on appeal promptly. Ordinarily, such decisions shall be made no later than the date of the meeting of the Trustees which immediately follows the Plan's receipt of a request for review, unless such request for review is filed within 30 days preceding the date of such meeting. In such a case, a decision shall generally be made by no later than the date of the second meeting following the Plan's receipt of the request for review. If special circumstances require a further extension of time for processing, a decision shall be rendered no later than the third meeting of the Trustees following the Plan's receipt of the request for review. Written notice of the extension shall be furnished to the claimant prior to the commencement of the extension. If the decision on review is not furnished within such time, the claim shall be deemed denied on review.

The decision on review shall be made in writing and shall include the specific reasons for the decision and refer to the specific provisions of the Plan on which the decision was based.

If you disagree with the decision on review in any respect, you must, within thirty (30) days of your receipt of the decision on review, submit your claim in writing to the New Jersey State Board of Mediation for final and binding arbitration, in accordance with its rules and regulations.