



INDIANA LABORERS WELFARE FUND

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To: All Contributing Employers of the Indiana Laborers Welfare Fund

Re: Affordable Care Act (ACA) Employer Reporting

You are likely hearing information about the new reporting requirements related to health care coverage that go into effect beginning in 2016. In a nutshell, these requirements (issued as part of the Affordable Care Act) require employers with 50 or more employees to report information about the health coverage they provide to (1) individuals who receive the coverage and (2) the Internal Revenue Service. This reporting is the mechanism the IRS will use to determine if the employee is subject to penalties under the Affordable Care Act.

These reporting rules pose unique challenges for employers who contribute to multiemployer plans because contributing employers do not maintain the type of information regarding individual employees' health care coverage that is required to be included in the reporting.

For the reporting that is required to be given to the individual employee, it is clear that the Board of Trustees (through the Plan Administrator) will be responsible for generating and issuing the reports. This is known as the "6055 Reporting" and will be done on Forms 1095-B and 1094-B.

The other aspect of the reporting, known as the "6056 Reporting", requires the employer to file a report directly with the IRS regarding the coverage it provided during the year and details about the employees who received the coverage. This report is filed on Form 1095-C. On August 6, 2015, the Treasury Department issued revised instructions for completing form 1095-C which provide specific guidance for employers who contribute to multiemployer plans. The guidance simplifies the reporting requirement substantially. While the Plan cannot give you tax advice, for your reference, we have listed below the information we believe you will need in order to complete the portion of the report as it pertains to your employees covered under the Indiana Laborers Welfare Fund.

- The Plan offers minimum value coverage as required under the ACA to employees that meet the Plan's eligibility rules. This includes any spouse or other dependents.
- The Plan's waiting period complies with the ACA rules.
- The Plan does not require any employee contributions for active coverage.
- For Part 2 line 14 of the Form, the employer should enter 1H for employees covered under this Plan.
- For Part 2 line 16 of the Form, the employer should enter 2E for employees covered under this Plan.

To summarize, contributing employers must file Form 1095-C with the IRS but do not need to list employee-specific information.

Note that it is clear that contributing employers must generate and file all the reporting explained above with respect to non-bargained employees who do not participate in the Indiana Laborers Welfare Fund.

We hope this will assist you in preparing your ACA reporting requirements and as always, we recommend you consult with a professional tax advisor for questions regarding completion of your business' tax forms.

Sincerely,
Board of Trustees

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