

# Bloomberg BNA Pension & Benefits Daily™

Source: Pension & Benefits Daily: News Archive > 2017 > June > 06/15/2017 > Legal News > Retiree Benefits: Ampco-Pittsburgh Retiree Health Cuts Will Be Arbitrated

## Retiree Benefits

### Ampco-Pittsburgh Retiree Health Cuts Will Be Arbitrated



By Jacklyn Wille

The United Steelworkers union can force Ampco-Pittsburgh Corp. to arbitrate a dispute over cuts the company made to retiree health benefits (*Cup v. Ampco-Pittsburgh Corp.*, 2017 BL 200478, W.D. Pa., No. 2:17-cv-00189-AJS, 6/13/17).

The parties' collective bargaining agreement contained a "broad arbitration provision" that covered the dispute, a federal judge ruled June 13, granting the union's motion to compel arbitration. The proposed class action claims that the steel manufacturer dropped certain retirees from its health plan and instead intended to give them a "limited monthly reimbursement" so they could buy private insurance. This violated a 2015 agreement between the parties, according to the lawsuit.

Cases involving retiree medical benefits usually arrive in court after companies announce or implement cuts to health benefits. In the past year, retirees challenging such cuts sued a number of companies, including Kraft Heinz Food Co., CONSOL Energy Inc., and Raytheon Co. Major companies including BorgWarner Inc., Moen Inc., Weyerhaeuser Co., and Johnson Controls Inc. were successful in getting courts to uphold cuts to retiree health-care coverage.

Judge Arthur J. Schwab of the U.S. District Court for the Western District of Pennsylvania wrote the decision sending the case against Ampco-Pittsburgh to arbitration.

Feinstein Doyle Payne & Kravec LLC represented the retirees and the union. Morgan Lewis & Bockius LLP represented the company.

To contact the reporter on this story: Jacklyn Wille in Washington at [jwille@bna.com](mailto:jwille@bna.com)

To contact the editor responsible for this story: Jo-el J. Meyer at [jmeyer@bna.com](mailto:jmeyer@bna.com)

#### Snapshot

- Proposed class action says steelmaker wrongly cut retiree's health coverage
- Judge says dispute belongs in arbitration

#### For More Information

Text of the decision is at

[http://www.bloomberglaw.com/public/document/Cup\\_v\\_AmpcoPittsburgh\\_Corp\\_No\\_17CV0189\\_2017\\_BL\\_200478\\_WD\\_Pa\\_June?doc\\_id=XQFUGHA0000N](http://www.bloomberglaw.com/public/document/Cup_v_AmpcoPittsburgh_Corp_No_17CV0189_2017_BL_200478_WD_Pa_June?doc_id=XQFUGHA0000N).

Contact us at <http://www.bna.com/contact-us> or call 1-800-372-1033

ISSN 1523-5718

Copyright © 2017, The Bureau of National Affairs, Inc.. Reproduction or redistribution, in whole or in part, and in any form, without express written permission, is prohibited except as permitted by the BNA Copyright Policy.