



Summary Plan Descriptions

DISTRIBUTING SUMMARY PLAN DESCRIPTIONS AND SUPPLEMENTS

It is important to document who, how, and when a participant receives the Summary Plan Descriptions (SPD).

Who Is Entitled to Receive an SPD

A copy of the Summary Plan Description or Supplement must be furnished to each of the following:

- Present participants
- Beneficiaries of deceased participants if such beneficiaries are receiving benefit payments or will in the future receive payments
- Terminated participants with a vested right to benefits
- Retired participants receiving benefit payments or entitled to receive future benefit payments
- New participants (within 90 days after they become a participant)
- See attached Foreign Language Notice Requirement.
- Census Reports are available on the Plan Sponsor website

How to Provide the SPD

The Summary Plan Description or Supplement may be furnished:

- By DOL Electronic delivery Safe Harbor.
- By Personal Delivery: Personally handing each participant a copy.
- By U.S. Mail: If sent second or third class, return and forward postage must be guaranteed and address correction requested. A Summary Plan Description

- or Supplement sent by second or third class mail that is returned with an address correction must be sent again by first class mail or personally delivered to the participant at his or her work site.
- By work e-mail to active participants: Electronic delivery to active participants is acceptable if they have reasonable access to the work site delivery system and are notified free paper copies are available upon request.
- By Periodical/Company Publications: It is acceptable to deliver documents as a special insert in a periodical distributed to employees, such as a union newspaper or a company publication, if the distribution list for the periodical is comprehensive and up-to-date. It must also show a prominent notice on the front page of the periodical advising readers that the issue contains an insert with important information about rights under the plan. If some participants and beneficiaries are not on the mailing list, a periodical must be used in conjunction with other methods of distribution.

When to Provide the SPD

- For a new plan, within 120 days of the effective date or adoption date, whichever is later.
 - For an amended plan, a Supplement to the SPD must be provided within 210 days after the end of the plan year for which the amendment or restatement is effective.
 - For new participants, the full SPD must be provided within 90 days of becoming a participant.
 - Every fifth year, the SPD must be updated and provided to participants and beneficiaries receiving benefits unless there have been no amendments made to the plan during that period. An updated SPD must be provided every tenth year regardless of any amendments being made.
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