



DOL Provides Relief for Plan Sponsors in Providing Notices

May 2020



The Department of Labor (DOL) has provided relief for notices and disclosures that plan sponsors must provide to participants and beneficiaries under health and welfare plans and retirement plans, which are subject to ERISA.

This relief applies during the COVID-19 National Emergency. For this purpose, the National Emergency began on March 1, 2020, but **no end date is currently set**.

If a notice or disclosure should have been furnished between March 1, 2020 through 60 days after the end of the National Emergency, and it was not timely provided, the plan sponsor or fiduciaries will not be considered in violation of ERISA if the plan sponsor acts in good faith and provides the notice or disclosure as soon as administratively practicable under the circumstances.

For this relief only, good faith acts include the use of electronic media (such as emails, text messages, and/or continuous access websites) if the plan sponsor reasonably believes that participants and beneficiaries have effective access to such electronic communication.

The following are some of the disclosures and notices that are included:

- Summary Annual Reports (SARs)
- Summary Plan Descriptions (SPDs) and Summaries of Material Modifications (SMMs)
- QDRO Notices
- Notices of Adverse Benefit Determinations and Rights to Appeal

- Notices specific to defined contribution plans, including:
 - Participant-Directed Retirement Plan Notices, including benefit statements and fee notices

- Qualified Default Investment Alternative (QDIA) Notices
- Investment Mapping Notices
- Blackout Notices (special rules apply)
- Notices specific to defined benefit plans, including:
 - Annual Funding Notices for pension plans
 - Periodic Pension Plan Benefit Statements
 - Notices regarding a reduction or elimination of benefits (204(h) Notices)

Please contact our [Stanley Benefits Team](#) for questions at [336.271.4450](tel:336.271.4450)

OUR MISSION

We will make every interaction a positive experience

Sincerely,
The Team at Stanley Benefit Services, Inc.

Contact us to learn about our
HSA, FSA, COBRA and 401(k) Services!

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