



**Builders Association of Northern Nevada
Benefit Trust Fund
Guidelines for SPD Distribution**

As a participating employer in the BANN Benefit Trust Fund, ***it is the employer's responsibility to ensure the Summary Plan Description (SPD), Evidence of Coverage, and Schedule of Benefits are distributed to all participants.*** The DOL can impose significant penalties against employers that fail to distribute SPDs in accordance with the applicable regulations. The SPD must be distributed in a manner reasonably calculated to ensure actual receipt, which means it may be hand delivered or sent by first, second or third class mail.

Prior to distribution, the employer should fill out the information on page 1 of the SPD, check the applicable waiting period at the bottom of page 1 and check the applicable dependent coverage on page 7. The SPD is not complete without inclusion of the Evidence of Coverage and Schedule of Benefits for your applicable BANN BTF plan. If you offer other benefits, you should contact your HR or benefits expert to ensure you comply with the requirement of 29 CFR Part 2520.

Due dates for distribution:

- *New Participants* – The employer should distribute the SPD to a new participant when they become a plan participant, but no later than 90 days after the employee becomes a plan participant.
- *New or Renewal Plan* – The employer should distribute the initial SPD for a new or renewal plan to all participants as soon as possible, but no later than 120 days after the effective date or renewal date.
- *Request from Participant or Beneficiary* – SPDs must also be distributed to a participant or beneficiary who requests the SPD within 30 days of the request.

Acceptable methods of distribution:

- In-hand delivery to employees at their worksites.
- Special insert in an employee periodical if:
 - the distribution list is comprehensive, up to date, and accurate, and
 - the front page prominently states the SPD is inserted. (Note: If some participants and beneficiaries are not on the mailing list for the periodical, this method may be combined with another distribution method.)
- First-class mail.
- Second- or third-class mail if return and forwarding postage are guaranteed and address corrections are requested. (Note: If SPDs are distributed by second- or third-class mail and an SPD is later returned with a corrected address, the plan administrator must distribute the SPD again by first-class mail or personal delivery to the participant at his or her worksite.)

Recordkeeping:

We recommend employers keeps a record of the method of distribution of the SPD, Evidence of Coverage and Schedule of Benefits in each employee's file.