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Satisfying the DOL's Safe Harbor When Using Electronic Technology to Comply with ERISA Disclosure Requirements

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Generally, the Employee Retirement Income Security Act of 1974 (ERISA) requires that plan administrators furnish to participants and beneficiaries certain documents including, most notably, the summary plan description, the summary of material modifications and summary annual reports. Plan administrators must furnish communications using a method “likely to result in full distribution.” ERISA regulations establish a Safe Harbor where all pension and benefit plans covered under Title I of ERISA may use electronic media to satisfy the disclosure requirements. In this practice note for *Lexis Practice Advisor*, special counsel Susan E. Bernstein provides practical guidance on how to satisfy the Safe Harbor when using electronic technology to comply with the disclosure requirements.

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