

**EMPLOYEE BENEFIT PLANS**

# Benefit Plan Sponsor Fiduciary Checklist

		YES	NO
<b>ONGOING</b>			
<b>1</b>	The board of directors formally authorized a plan oversight committee to delegate the fiduciary responsibilities of plan management.	<input type="checkbox"/>	<input type="checkbox"/>
<b>2</b>	Employees serving as plan fiduciaries have been identified and educated on their roles and responsibilities.	<input type="checkbox"/>	<input type="checkbox"/>
<b>3</b>	Parties-in-interest and related transactions have been identified and any conflicts of interest resolved. Any identified prohibited transactions have been corrected as necessary.	<input type="checkbox"/>	<input type="checkbox"/>
<b>4</b>	The plan oversight committee developed and approved an investment policy to help monitor plan investment performance.	<input type="checkbox"/>	<input type="checkbox"/>
<b>5</b>	The plan oversight committee or board of directors approved and documented any discretionary benefits under the plan, such as discretionary matching or profit-sharing contributions.	<input type="checkbox"/>	<input type="checkbox"/>
<b>6</b>	A policy for timely transfers of participant contributions and loan repayments has been considered and developed.	<input type="checkbox"/>	<input type="checkbox"/>
<b>7</b>	Covered service providers provided required 408(b)(2) fee disclosures.	<input type="checkbox"/>	<input type="checkbox"/>
<b>8</b>	Fiduciary file is maintained and includes the following items: <ul style="list-style-type: none"> <li>• Plan documents, including any amendments</li> <li>• Determination or opinion letters from the IRS</li> <li>• Summary plan description (SPD) and any summaries of material modifications (SMMs)</li> <li>• Trust or recordkeeping agreements, including any amendments</li> <li>• Investment advisor agreements</li> <li>• Investment policy</li> <li>• Loan policy</li> <li>• Fidelity bond</li> <li>• Plan oversight committee minutes and board minutes pertaining to the plan</li> <li>• Past years' filed Forms 5500, Form 8955-SSA, extensions, Summary Annual Report (SAR), and accompanying plan financial statements</li> <li>• Plan audit correspondence</li> <li>• Service provider 408(b)(2) notices</li> <li>• Correspondence from regulatory bodies (IRS and DOL)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
<b>ANNUALLY OR QUARTERLY</b>			
1	<p>Plan oversight committee meets at least quarterly to discuss the plan, including the following items:</p> <ul style="list-style-type: none"> <li>• Industry developments and regulation</li> <li>• Plan administration issues</li> <li>• Plan compliance issues</li> <li>• Investment performance and fair value measurements for financial reporting purposes</li> <li>• Participant education</li> <li>• Plan committee fiduciary training</li> <li>• Annual audit results, findings, and recommendations</li> <li>• Decisions affecting the plan, such as amendments and changes in service providers, are appropriately documented in writing</li> <li>• Plan service provider contracts are periodically reviewed for services offered, fees, and other delegated duties</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
2	Plan oversight committee meetings are documented with minutes to support decisions and actions affecting the plan.	<input type="checkbox"/>	<input type="checkbox"/>
3	Plan management reads the SOC 1 <sup>®</sup> reports for plan service providers—custodians, recordkeepers, and payroll providers—and considers and addresses the plan's required internal control procedures and documentation detailed in the reports.	<input type="checkbox"/>	<input type="checkbox"/>
4	Plan management understands and regularly discusses and addresses fraud risk in the plan, whether from fraudulent financial reporting or theft.	<input type="checkbox"/>	<input type="checkbox"/>
5	Qualified plan management, including accounting or finance and benefits personnel, reviews Form 5500 and related audited financial statements; extends them properly, if necessary; and files them properly and on time.	<input type="checkbox"/>	<input type="checkbox"/>
6	Form 8955-SSA is extended properly, if necessary, and filed on time.	<input type="checkbox"/>	<input type="checkbox"/>
7	The summary annual report is distributed to participants, including terminated participants, each year.	<input type="checkbox"/>	<input type="checkbox"/>
8	A safe harbor notice—for safe harbor plans only—is distributed to participants annually within the established time period. Documentation regarding the delivery date of the notice is maintained.	<input type="checkbox"/>	<input type="checkbox"/>
9	The DOL's 404(a)(5) fee and investment performance disclosures are provided quarterly and annually to participants as required.	<input type="checkbox"/>	<input type="checkbox"/>
10	The plan oversight committee reviews vendor contracts for delegated plan duties and creates benchmark report to monitor activities.	<input type="checkbox"/>	<input type="checkbox"/>
11	Annual calendar of plan activities is created including filing due dates and delivery metrics.	<input type="checkbox"/>	<input type="checkbox"/>
12	Plan management understands how forfeitures are used and applied.	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
<b>ANNUALLY OR QUARTERLY CONTINUED</b>			
13	<p>Annual nondiscrimination and top-heavy testing are performed, including the following actions:</p> <ul style="list-style-type: none"> <li>Reviewing employee and payroll data for accuracy prior to use</li> <li>Completing all required testing by applicable due dates</li> <li>Maintaining employee and payroll data used in testing</li> <li>Completing any required refunds on time</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
14	The fidelity bond is renewed for at least the minimum amount required.	<input type="checkbox"/>	<input type="checkbox"/>
15	The deferral amount, compensation, and annual addition limits are changed or applied properly.	<input type="checkbox"/>	<input type="checkbox"/>
16	The required regulatory plan amendments are adopted and executed on time.	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
<b>DAY TO DAY</b>			
1	Plan management understands and consistently applies employee eligibility requirements as detailed in the plan documents.	<input type="checkbox"/>	<input type="checkbox"/>
2	SPD and SMM are distributed to all eligible participants, including terminated participants. Plan management will want to review internal responsibility and vendor contracts to ensure timely distribution of these documents.	<input type="checkbox"/>	<input type="checkbox"/>
3	Payroll personnel understand compensation eligible for deferral as detailed in the plan documents, track it correctly into the payroll system, and monitor regularly for changes in payroll codes or the plan documents.	<input type="checkbox"/>	<input type="checkbox"/>
4	<p>Participant contributions are monitored for the following:</p> <ul style="list-style-type: none"> <li>Plan management understands and consistently applies autoenroll and autoescalation provisions, if applicable, as detailed in the plan documents.</li> <li>Plan management considers and consistently applies deferral rate limits as detailed in the plan documents.</li> <li>IRS-regulated deferral amount limits are updated accordingly in the payroll system.</li> <li>Different types of contributions, such as Roth, catch-up, and after-tax contributions, are allowed to be made only as detailed in the plan documents.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
5	Automatic enrollment notices—if the plan allows automatic enrollment—are provided to participants at least 30 days but not more than 90 days before eligibility to participate in the plan, and annually thereafter. Notice may also be provided on the first day of work subject to certain conditions.	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
<b>DAY TO DAY CONTINUED</b>			
6	Qualified default investment alternative (QDIA) notices—if the plan allows automatic enrollment—are provided to participants at least 30 days prior to automatic investment in the QDIA and annually thereafter.	<input type="checkbox"/>	<input type="checkbox"/>
7	Timely transfers of participant contributions and loan repayments are monitored regularly. Any deposits considered late are identified and corrected as necessary.	<input type="checkbox"/>	<input type="checkbox"/>
8	Employer contributions are made, including the following actions: <ul style="list-style-type: none"> <li>Plan management understands and consistently applies eligibility requirements for employer contributions as detailed in the plan documents.</li> <li>IRS-regulated compensation limits for calculation of employer contributions are understood and annually updated.</li> <li>Calculation and timing of employer matching policy as detailed in the plan documents is understood and consistently applied, and true-up contributions are calculated and made if required.</li> <li>The IRS-regulated 415 annual addition limit is considered and updated annually.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
9	Participant loans are monitored, including the following actions: <ul style="list-style-type: none"> <li>Loan term, interest rates, and loan default criteria as detailed in the plan documents are understood and consistently applied.</li> <li>Loan repayments are started in payroll in accordance with loan amortization schedules and end according to the loan term.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
10	Distributions are reviewed, including the following actions: <ul style="list-style-type: none"> <li>Plan management understands and consistently applies types of distributions allowed under the plan, such as 59.5 and rollovers.</li> <li>Eligibility for distribution type—termination or age-based, for example—is reviewed before payment is approved. If process is outsourced, management has identified that internal controls are in place to ensure accuracy of eligibility criteria.</li> <li>Form of distribution as detailed in the plan documents, such as lump sum, installments, and annuities, are understood and consistently applied.</li> <li>Vesting calculation as detailed in the plan documents is reviewed and properly applied.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
<b>DAY TO DAY CONTINUED</b>			
<b>11</b>	<p>Hardship distributions are reviewed, including the following actions:</p> <ul style="list-style-type: none"> <li>The plan's eligibility requirements and approval process for a hardship withdrawal are understood and consistently applied.</li> <li>Effective January 1, 2020, plan sponsors may no longer allow a six-month suspension of employee contributions. Proper support for reason for hardship withdrawal is maintained.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12</b>	<p>Administrative expenses are accounted for, including the following actions:</p> <ul style="list-style-type: none"> <li>Management understands the types of fees allowed to be paid by the plan and participants.</li> <li>Expenses are reviewed and properly authorized.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>