Use one of the following electronic delivery methods to provide plan participants with copies of SPDs/SPD Wrap or Employee Notification Documents.

Electronic Delivery Methods:

- **Work Email:** Documents can be sent via email (without consent) to employee's work email address, **as long as the following is in place**:
    1. the work email is specifically for and used by the employee on a regular basis as a part of daily work responsibilities;
    2. an actual receipt of transmitted information is confirmed, such as through failure to deliver notice, periodic review or survey of employees to confirm materials are being received or confirmation receipt received by sender from recipient;
    3. the email includes a statement as to the significance of the document. ;
    4. contains the right to request a paper version at no cost and instructions on how to request a copy. See sample **Attachment C** below "**Non-Consent Email Notice of Important Documents**."; and
    5. notice content does not contain any identifiable protected personal information.

- **Personal Email:** If employees do not have a primary work-issued email address, they may elect, with written consent, to provide the employer with a personal email address for receipt of specific electronic notice. This consent must be obtained yearly and must include the following:
    1. the types of documents to which the consent would apply;
    2. that consent can be withdrawn at any time without charge;
    3. the procedures for withdrawing consent and for updating the participant's, beneficiary's or other individual's address for receipt of electronically furnished documents or other information;
    4. the right to request and obtain a paper version of an electronically furnished document, including whether the paper version will be provided free of charge; and
    5. any hardware and software requirements for accessing and retaining the documents;

    See sample **Attachment D** below "**Consent for Electronic Delivery of Documents**."

- **Company Intranet:** Employers may post documents to a designated site on the Internet. Under this method, the employer must ensure employees have the ability to and can access these documents at will during and after business hours. Employers must provide a separate notification sent via electronic or non-electronic method to each employee notifying them of:
    1. the document's availability;
    2. the importance of the information contained in the documents;
    3. the right to receive this information by another acceptable means, non-electronic or electronic, as described above;

    See sample **Attachment E** below **Mailed or Email Sample, (Consent Obtained)** "**Notice of Availability of Important Documents.**"

Documentation: Regardless of the distribution method used, the employer should always retain evidence of the notice being given, including a copy of the notice/s, the date provided, and to whom it was provided.

These notices and any other relevant Plan Documents or Notices should be made available to employees upon request at no cost. For purposes of section 104(b)(4) of the Act, materials furnished upon written request shall be mailed to an address provided by the requesting participant or beneficiary or personally delivered to the participant or beneficiary. See sample **Attachment F** below "**Request for Copy of Documents.**" 29 CFR § 2520.104b-1 Disclosure

ATTACHMENT C

Sample Email Notice of Important Documents

Dear Employee,

[Insert company name] would like to make you aware of access to and the availability of **important benefit documents**. In addition to those documents you are provided upon enrollment, more details can be found in the summary plan description, summary of material modifications, insurance contracts and other supporting documents.

[Insert company name] [has created a [Insert specifics – like share file on the company website] where all of these documents can be viewed] [or [has attached these documents for your convenience].

[if using a share drive or web location include the following statement and remove this instruction [If you wish to receive a hard copy of this information, at no cost, please contact [insert contact person, name, number and/or email] with your preference.]

Sincerely,

[Insert name and title]

ATTACHMENT D

Consent for Electronic Delivery of ERISA Documents

The purpose of this notice is to inform you that [Company Name] is offering you the opportunity to receive electronically all notices about your employee benefits. Such notices will include (but not be limited to) newsletters, enrollment announcements, Summary Plan Descriptions (SPDs), Summaries of Material Modifications (SMMs), Summary Annual Reports (SARs), general COBRA notices, Summaries of Benefits and Coverage, Health Insurance Marketplace Notices, HIPAA certificates of creditable coverage and other related benefit notices.

Optional [All notices are available at:_____]

Each benefit plan in which you enroll has a Summary Plan Description (SPD) that describes the key provisions of the plan. Plan amendments describe any material changes made to the benefit plan since its SPD was originally drafted. A plan's SPD and plan amendments are very important documents.
If you do not have access to a computer through your normal work functions, in order for us to provide you with this opportunity, you must consent to receive Employee Benefit notices electronically by signing the form below.

Prior to consenting, you should understand that:

- When a new benefit notice, announcement, newsletter, SPD or other document is posted via [insert web address or method of access to document], you will receive a notification at the email address you provide to inform you of the availability and location of the document.
- You have the right to withdraw your consent to electronic distribution at any time at no charge to you. To withdraw consent, you must notify [insert name] at [insert phone number and/or email].
- If you consent to electronic distribution, you may still request a paper version of any document free of charge by contacting [insert name] at [insert phone number and/or email].
- All benefit notices, including SPDs and plan amendments, will be available [indicate where] in the following [insert document format i.e. pdf]. If you do not have the ability to access the following types of electronic document storage [distribution type, i.e. cd, memory stick, intra or Internet website], or if you do not have the programs necessary to view this type of file, you should not consent.
- To withdraw your consent or update your email address, please notify [insert name] at [insert email address and/or phone number].

I consent to the electronic disclosure of all Employee Benefit notices, including Summary Plan Descriptions, plan documents, plan amendments and any other benefit notices.

I acknowledge that I have read the "Notice of Electronic Disclosure" and understand that I am entitled to withdraw my consent at any time at no cost to myself. I understand that I have the right to receive paper copies of all Employee Benefit notices, including Summary Plan Descriptions and plan amendments, upon request at no additional charge. I also confirm that I have the ability and the necessary equipment and software to access [insert specifics, i.e. the Employee Benefits websites, open and view documents provided].

Employee Name (Printed) Employee Signature

_____ _____

Employee Email Address Date

_____ _____

ATTACHMENT E

Mailed or Email Sample, (Consent Obtained)

Notice of Availability of Important Documents

(Optional Insert Company name and/or Logo)

Dear Employee,

This notice is to inform you of the availability of **important benefit documents**. In addition to those documents you are provided upon enrollment, more details can be found in the summary plan description, summary of material modifications, insurance contracts and other supporting documents.

[Insert company name] [has created a [Insert specifics – like share file on the company website] where all of these documents can be viewed] [or [has attached these documents for your convenience].

If you wish to receive a hard copy of this information, at no cost, please contact [insert contact person, name, number and/or email] with your preference.

Sincerely

[Insert name and title]

ATTACHMENT F

Request for Copy of Documents

I wish to exercise my right to receive a copy, at no cost to me, of the following benefit documents:

- ☐ Summary Plan Description(s) and component plan documents.
- ☐ Summary of material modification(s)
- ☐ Other supporting documents indicated here _____
  _____

If available, I would like to request the above information in a format other that paper as indicated below:

- ☐ CD Compact disk – read only
- ☐ Memory Stick containing PDF files
- ☐ In email as PDF files sent to the following email address _____

Employee Name (Printed)	Employee Signature	Date
_____	_____	_____