

# FIDUCIARY DUTIES

## WHAT PLAN SPONSORS MUST OVERSEE

If you make decisions about your company's retirement plan, you are a fiduciary. That means you are legally responsible for acting in the best interests of plan participants and beneficiaries.



### INVESTMENT OVERSIGHT

- Use a prudent, objective process to select and monitor investments
- Offer a diversified investment lineup to help reduce participant risk (ERISA 404(c))
- Engage professional expertise when internal investment knowledge is limited
- Document all investment decisions, including additions, removals, and changes

**Have an Investment Policy Statement (IPS) to follow a prudent, repeatable process**



### PLAN ADMINISTRATION

- Ensure employee contributions are deposited timely
- Operate the plan according to its written document under ERISA
- Oversee required testing, filings, and disclosures
- Confirm accurate payroll and data processing
- Monitor participant communications and education

**Administrative errors can create fiduciary liability if not addressed**



### SERVICE PROVIDER OVERSIGHT

- Select and monitor service providers using an informed, documented process
- Review 408(b)(2) disclosures describing services and all compensation
- Confirm services are necessary and fees are reasonable for the value provided
- Periodically re-evaluate providers to avoid prohibited transactions
- Document provider reviews and any decisions to retain or replace providers

**Service providers can assist, but oversight cannot be delegated away**