

FACT SHEET

EBSAs Participant Assistance & Outreach Program August 2005

The Employee Benefits Security Administration (EBSA) maintains a participant assistance and outreach program to educate participants, beneficiaries and plan sponsors about their rights and obligations under employee benefit laws, and to assist individuals in obtaining retirement and health benefits that have been improperly denied. To improve the delivery of participant assistance and outreach, EBSA has established an Office of Participant Assistance (OPA) and employs 108 Benefits Advisors located throughout the country in the Agency's 15 field offices. OPA formulates the Agency's strategic plan for participant and compliance assistance, outreach and education; establishes policies and operating procedures for the field and national office programs; and, conducts quality assurance reviews. The office is also responsible for developing publications and other educational materials for participants and plan sponsors and for the content and design of EBSA's Web site.

Quick Facts:

- In FY 2004, the Benefits Advisors closed 163,221 participant inquiries and recovered over \$76 million in benefits for participants that had been improperly denied through an informal negotiation process with the employer. The Benefits Advisors inform the employer about their responsibilities under the law and facilitate resolution of the complaint without formal investigation or litigation.
- Benefits Advisors also respond to compliance related inquiries directly from employers, plan sponsors and practitioners. Last year they handled 20,845 such inquiries.
- Benefit Advisors play a critical role in EBSA's overall enforcement program. When they receive a complaint from a participant that indicates a fiduciary breach by the employer or a problem that impacts all or several participants in the plan, the Advisor makes a referral to the enforcement staff for possible investigation. These types of referrals from our Advisors have become our best source of cases. Referrals from Benefits Advisors in FY 2004 resulted in 1,236 enforcement cases being opened and closed with the additional recovery of \$307.9 million in benefits as a result of these investigations.
- Often when situations require investigation and litigation to resolve, participants are left in limbo for months or years before a final resolution of the case is settled. In FY 2004, the Agency implemented a new policy to keep participants informed about the status of their complaint both before and after it has been referred for enforcement. This has helped to increase our customers' satisfaction.
- The Agency began monitoring how participants and other customers viewed the service provided by our Benefits Advisors in FY 2003 through a contract with the Gallup Organization. Customer Satisfaction is one of the GPRA goals established by the Agency. Over the last three years the customer satisfaction rating has improved by more than 3 percentage points each year. Training has been provided to the Benefits Advisors by Gallup; offices have developed individual team impact plans for improving their overall office rating; and individual Advisor scores have been used for training and individual improvement. According to our most recent Gallup survey, 82% of our customers rate our service equal to or better than their experience with the private sector, and 85% equal to or better than public sector organizations.
- OPA's participant assistance program was audited by the Office of Inspector General in FY 2003; there were no adverse findings or recommendations.
- In March 2002 EBSA launched a toll free participant assistance line, 1-866-ask-EBSA. The hot line complements the Agency's Web site for accepting electronic inquiries, www.askEBSA.dol.gov, which was launched on Labor Day 2001.
- The toll free calls are directed to the field offices and are answered by Benefits Advisors in the region nearest the caller.

- The Agency's Web site hosted over 1.73 million web visitors in FY 2004 where they had access to numerous FAQs, publications and other useful consumer information as well as easy access to the "contact us" site.
- Benefits Advisors also have access to a contracted translation service that can assist them in providing assistance to non-English speaking participants. The translation service provides translation in 150 different languages.
- Benefit Advisors conduct both participant and compliance assistance outreach in their regions. Some examples of these outreach activities include:
 - *On-site assistance to dislocated workers facing job loss as a result of plant closures or layoffs.* Benefits Advisors participate in state sponsored Rapid Response sessions providing workers with critical need-to-know information about continuation health coverage under COBRA, special enrollment rights under HIPAA and retirement rollover provisions. In FY 2004 our Benefits Advisors participated in 674 Rapid Response sessions attended by 24,977 workers. Examples include United Food and Commercial Workers Union, Lands End, CitiCard, and MCI. This direct on-site service provides timely information necessary for participants to make informed decisions about their benefits when faced with job loss.
 - *Briefings to district congressional offices, state insurance commissioners, and other federal, state and community organizations.* The purpose of these train-the-trainer/advocate sessions is to educate these professionals about the laws that EBSA administers and the services offered by our staff. The Benefits Advisors provide them with copies of our brochures, Qs & As, posters, as well as our website address and toll free number. In FY 2004 Benefits Advisors conducted 290 briefings to Congressional district staff, reaching 321 members' offices. These briefings result in more referrals to our offices for benefit dispute resolution but they also reduce informational inquiries to our staff by enabling the staff in these offices to respond directly to their constituents' questions and provide copies of our informative materials.
 - *Compliance Assistance workshops for employers, plan sponsors and practitioners.* Benefits Advisors conducted or participated in 576 compliance assistance outreach activities in FY 2004. Those include cosponsoring 31 HIPAA compliance assistance seminars with state insurance commissioners, cosponsoring workshops with the IRS, Small Business Development Centers and local Chambers of Commerce for small business owners to learn about retirement plan options to offer coverage for their employees, participation in workshops sponsored by associations such as the AICPA, WEB and the IFEBP, and giving speeches to plan benefits administrators. By educating employers, plan sponsors and practitioners through these types of outreach seminars, fewer errors are made by the plan thus reducing the number of individuals who might need assistance in resolving complaints.
 - *Fiduciary Assistance Seminars for employers, plan sponsors and practitioners.* The Agency began offering these seminars in June 2004 and has conducted a total of 11 to date. Partners include the Society for Human Resource Management, the U. S. Chamber of Commerce, the Small Business Administration, the National Federation of Independent Businesses and the American Institute of Certified Accountants.
- EBSA now has 63 publications for use by the Benefits Advisors, which provide useful information to participants and beneficiaries about their pension and health benefits. Seven of these pubs have been translated into Spanish; one in Mandarin Chinese. In 2004, 809,687 copies were distributed.

For more information about the Participant Assistance and Outreach Program, contact the Office of Participant Assistance at 202-693-8630. If you have a benefits question or need assistance resolving a complaint or claim for benefits, contact one of our Benefits Advisors, toll-free, at 1-866-444-EBSA (3272), or electronically at www.askebsa.dol.gov.