

**June 18, 2012**

## **Strategic Plan Outreach, Education & Assistance Program Employee Benefits Security Administration**

### **Introduction**

The Secretary defines *good jobs* as, among other factors, jobs that provide health benefits and retirement security. In support of the Secretary's vision, the Employee Benefits Security Administration (EBSA) has a single outcome goal of "improving health benefits and retirement security for all workers."

Retirement, health and other workplace related benefits of American workers and their families are not adequately secure. They are threatened by many internal and external factors, including fiduciary misconduct, conflicts of interest, excessive fees and improper denial of benefits. These problems are exacerbated when participants are uninformed about their benefits rights and responsibilities and plan sponsors are uninformed about their legal obligations. Our strategy is to bring plan sponsors and their benefit plans into compliance with the law using an integrated approach.

All of the activities EBSA intends to undertake will directly support the single goal "to improve health benefits and retirement security for all workers". During fiscal year 2013, EBSA will implement an integrated approach to pursue its mission and goal which includes the following symbiotic program priorities:

- 1) A vigorous enforcement program;**
- 2) A proactive regulatory agenda; and**
- 3) A targeted research agenda and a strong participant assistance and informal dispute resolution program, and a proactive compliance and consumer outreach and education program.**

The success of EBSA's integrated efforts will depend greatly on our available resources and the agency's efficient and effective use of such resources.

It is within this context that EBSA's *Strategic Plan for Outreach, Education and Assistance* has been developed. EBSA will continue to provide quality outreach, education and technical assistance to participants and beneficiaries as well as to employers, plan sponsors and service providers related to their health and retirement plan and benefits. We will assist participants in understanding their rights, responsibilities and benefits under employee benefit law and will intervene on their behalf with the plan sponsor in order to assist them in obtaining the health and retirement benefits to which they are entitled. We will educate and assist employers (particularly small employers), plan sponsors, and their service providers in understanding and complying with their obligations under the law and related regulations and procedures.

We will accomplish this through various forms of participant and compliance outreach, education and assistance programs and activities. In order to have a focused plan of outreach, education and assistance activities, EBSA has developed a strategy to guide its regional and national offices in carrying out an organized Outreach Education and Assistance Program.

### **Purpose & Scope of the Outreach, Education and Assistance (OEA) Strategic Plan**

*The Strategic Plan for Participant & Compliance Outreach, Education and Assistance* will support the Department's and EBSA's strategic and outcome goals by:

- establishing national policies and priorities for the Agency's OEA activities consistent with those of the Secretary;
- providing a general framework for National and Regional Office components who are involved in OEA activities; and,
- identifying various strategies that the National and Regional Office components will utilize in developing their yearly program operating plans.

EBSA's OEA activities are carried out by the ten Regional Offices and various office components within the National Office. This plan provides a framework for the conduct of the participant and compliance outreach, education and assistance activities.

Under the guidance of the Office of Participant Assistance, the Regional Offices will develop specific Outreach, Education and Assistance (OEA) Program Operating Plans annually, providing a description and timeframe for the specific Participant and Compliance outreach, education and assistance activities they will undertake to implement the Strategic Plan in their region. Regional Benefits Advisors will provide assistance to participants, beneficiaries, employers, plan sponsors, and practitioners by responding to inquiries, conducting informal dispute resolution of valid complaints with plan sponsors, providing on-site education and assistance to workers facing job loss, conducting participant and compliance focused workshops, hosting Web meetings with Congressional staff and advocacy groups, and participating in various other outreach activities.

The Office of Participant Assistance coordinates three national education campaigns (the *Retirement Savings Education Campaign*, the *Fiduciary Education Campaign*, and the *Health Benefits Education Campaign*), which form the basis for the development of most of the Agency's informational materials and publications, and the coordination for many of the compliance and participant seminars, webcasts and outreach activities.

The Office of Participant Assistance coordinates national participant and compliance focused Webcasts and seminars on health benefits and fiduciary responsibilities. The Office of Participant Assistance is also responsible for the content of the Agency's Web site, the Agency's best medium for providing outreach to its customers. The Office of Participant Assistance prepares an annual publication plan outlining the educational materials to be developed, the timeframe for development, printing and release of each, once the Campaign and printing budgets are final for the year.

The Office of Enforcement provides outreach to other enforcement agencies and provides consultation to the plan benefits community through speeches and other outreach activities.

The Office of the Chief Accountant provides compliance assistance to filers through the operation of a help desk, participates in seminars, meetings and other outreach activities directed to plan sponsors, auditors and other service providers.

Specialized compliance technical assistance is provided to plan officials and service providers by the Office of Regulations and Interpretations and the Office of Health Plan Standards and Compliance Assistance, through the issuance of regulations, interpretive guidance, advisory opinions, field assistance bulletins as well as speeches and participation in outreach seminars and events for the regulated community.

The Office of Exemption Determinations provides technical assistance to regulated entities through exemptions and interpretive letters and through outreach activities.

### **Our Challenge**

EBSA has identified several challenges that will be addressed by its regional and national office outreach, education and assistance activities and initiatives.

- To educate and assist employers (particularly small employers), plan sponsors, auditors and other service providers in understanding and complying with their obligations under the law and related regulations and procedures.

Most employers, plan sponsors, and practitioners want to provide quality benefits and services to their workers or clients. Lack of awareness of retirement and health laws, their fiduciary duties under the law, and other requirements of plan sponsors, however, can preclude them from understanding their obligations under the law. Employers and plan sponsors or their service providers may fail to follow required procedures due to a misunderstanding of the law or regulations. Plan auditors may not properly audit plans because they do not understand the unique aspects of these audits. Several new laws have been enacted over the last few years, including the Affordable Care Act of 2010; new regulations have been issued; new forms, new reporting and disclosure provisions, and other procedural requirements, such as electronic filing of Form 5500s, have been implemented. Employers and plan sponsors need to be kept abreast of these new requirements through ongoing outreach and education programs and initiatives. Employers who voluntarily request compliance assistance should receive timely and helpful interpretive guidance, responses to exemption requests and filing questions, and have access to voluntary correction programs when appropriate. Employers and practitioners must be aware of EBSA's services and voluntary compliance initiatives in order to take advantage of them.

- To educate participants, beneficiaries and other consumers about their rights under the law and where to go for help when needed; and, to assist participants in obtaining benefits that have been improperly denied.

Consumers' lack of awareness or understanding of retirement and health benefits laws, excessive fees, and improper denial of benefits impedes their ability to exercise their rights. It is equally important that they understand the new laws and regulations to fully understand the benefits to which they are entitled and any new rights under the law. Workers who are facing changes in their work situations, such as loss of their job or a reduction in their hours, retirement, or significant changes in their life situation, such as marriage, divorce, childbirth, or death of a spouse are particularly vulnerable and need proper information to protect their retirement and health benefits and make informed decisions. Some participants may need our intervention to help them obtain their benefit that has been improperly denied.

- To educate workers about the need to save and plan for their retirement and prepare to make their money last through retirement .

Many workers lack the information, knowledge and/or incentive to effectively save and plan for retirement. Workers are increasingly likely to be covered by a defined contribution plan, usually a 401(k) plan rather than the traditional defined benefit plan. Much of the responsibility for retirement planning has shifted to workers. New entrants into the workforce need to understand the need to begin saving early in order to have a sufficient income during retirement.

Many workers nearing retirement have not taken the time to calculate what their expenses will be during retirement nor what their income will be. Working longer may be necessary for these individuals to have sufficient retirement income to support their lifestyle. Workers also need to know about IRAs and fees associated with rollovers.

- To make EBSA's customers aware of our services and how to contact us and to promote our new web based complaint portal.

Many consumers do not know about EBSA's services or how to reach the appropriate EBSA office for assistance. Employers, plan sponsors, and practitioners must be aware of the compliance assistance services we offer and how to reach us in order to take advantage of these programs. Congressional staff, media, consumer advocacy groups, employer groups and trade associations who reach our customers must be aware of our services in order to properly refer those who need assistance.

To educate the public and advocacy organizations about our new consumer web page and the web based participant inquiry/complaint intake portal will be a priority. By encouraging the use of the consumer web page, thousands of individuals will be able to find answers to their questions without contacting our Benefits Advisors. However those that want to file a complaint report a problem or need additional assistance will be able to use our web based intake form, making it easier for our Benefits Advisors to more efficiently handle the ever-increasing volume of inquiries and complaints.

## Our Vision

Employers, plan sponsors and their service providers will:

- be aware of new laws, rules and guidance and the impact on their fiduciary obligations;
- have the necessary information to provide quality and properly administered employee benefit plans to their employees;
- voluntarily request technical assistance from the Agency when needed and will receive timely and helpful responses; and,
- be aware of and take advantage of our voluntary compliance programs when appropriate.

Workers and their families will:

- have the proper information to exercise their rights and to make informed decisions about their retirement and health benefits;
- understand the importance of saving for retirement and will have the necessary tools and knowledge to do so;
- receive the retirement, health and other benefits promised to them;
- know about our consumer website and how to reach our Benefits Advisors electronically or by phone toll-free if they have a question or need us to assist them in obtaining a benefit; and,
- receive timely and helpful assistance from the Agency.

## Agency Priorities

EBSA has identified the following as the Agency's priorities for compliance and participant outreach, education, and technical assistance:

### **Priority # 1 – Compliance Outreach, Education & Technical Assistance**

- Provide quality and timely technical assistance upon request to the employee benefit plan community.
- Develop and/or continue to provide specific tailored and targeted educational programs, to inform employers, plan sponsors, service providers and practitioners about their ongoing fiduciary responsibilities and obligations under the Employee Retirement Income Security Act (ERISA), and any new laws or requirements.

Educational programs and outreach built around the following topics have been determined to be a priority:

- The new Affordable Care Act and regulations;
- New retirement plan guidance including the definition of a fiduciary, fees,

- investment advice, qualified domestic relations orders, and lifetime income options;
- Multiple Employer Welfare Arrangements (MEWA) registration and enforcement;
- Promotion of EBSA's Voluntary Fiduciary Correction Program, and the Delinquent Filer Voluntary Compliance Program;
- General ERISA fiduciary requirements for small employers, service providers, and bankruptcy trustees;
- ERISA reporting and disclosure, electronic filing and auditing requirements;
- Requirements for choosing, starting, and operating a retirement savings plan for small employers who have no plan; and,
- General fiduciary education for Apprenticeship Plan sponsors.

## **Priority # 2 - Participant Outreach, Education & Technical Assistance**

- Respond to participant inquiries/complaints timely and accurately, assisting them in understanding their rights and benefits and intervening on their behalf with the plan sponsor and/or third party administrator in order to assist them in obtaining the health and pension benefits to which they are entitled through informal dispute resolution;
  - Through informal dispute resolution, EBSA's Benefits Advisors will resolve participant complaints and recover millions of dollars in benefits for thousands of participants and their families that have been inappropriately denied. If the Benefits Advisors are unable to resolve valid complaints informally, such as those involving complex plan-wide fiduciary violations or possible criminal activity, the Benefits Advisors will refer the complaint for possible investigation. These referrals for investigation have become a significant source of EBSA's enforcement cases

By resolving participant complaints and correcting violations through the informal process, EBSA's investigators' time is freed to handle the more complex cases. The Benefits Advisors will refer inquiries as leads for investigation if they identify repeat offenders, plan wide problems or other circumstances that should be handled via the enforcement.

To resolve a complaint informally the Benefits Advisor is required to contact the plan sponsor and conduct an analysis of the facts and circumstances related to the complaint, research the law, and review information provided by both the plan sponsor and participant before determining the validity of the complaint. Often Benefits Advisors obtain benefit recoveries for other participants in the plan as a result of informally correcting the problem/violation associated with the individual complaint. If the complaint is invalid, the Benefits Advisor will explain to the participant why they are not eligible for the benefit.

- Educate workers in job-based health and pension plans so that they make informed health and pension benefit decisions and understand how changes in their lives, such as job loss, retirement, marriage, divorce, childbirth can affect their benefits;
- Specifically target dislocated workers, educating them about options to protect their pension and health benefits when facing job loss;
- Educate vulnerable populations such as Hispanic and Latino workers who are not fluent in English by publishing our most popular publications in Spanish and hosting Spanish language webcasts and workshops.
- Educate individuals about the benefits of saving for retirement, specifically new job entrants and those with access to a plan who are not participating; and, educate those who are nearing retirement about risks they may face during the distribution phase of their retirement benefits.

### **Priority # 3 – Public Awareness**

- Increase consumer awareness of EBSA’s programs and services, by promoting EBSA’s website and encouraging the use of the compliance and consumer pages, specifically educating participants and beneficiaries, employers, plan sponsors, and practitioners, with the goal of providing instant answers to their questions through FAQs, publications and other materials.
- Increase the awareness of EBSA’s Benefits Advisors and the ability to file a complaint or report a problem to the Advisors electronically through the EBSA website.
- Educate and utilize employer organizations, state and federal agencies, congressional offices and consumer groups to inform their constituents about the Agency’s services and contact information. Promote the use of the new web based inquiry/complaint intake system.

### **Our Strategy**

Through innovation, improved implementation and evaluation we will employ the following strategies:

1. *We have implemented two new initiatives that will help make the Participant Assistance Program more efficient and enable us to better handle the increased workload with existing staff. (Benefits Advisors will be handling over a 30% increase in workload with no additional full-time equivalents (FTE).)*
  - *We will encourage the public’s use of a new electronic inquiry/complaint intake, processing and management system that will be more efficient for the Benefits*

Advisors as well as user friendly for the public. With this paperless system, all participant inquiries/complaints, regardless of how they are received, will be managed electronically. If participants submit inquiries/complaints electronically, the submission auto-populates the inquiry database and makes assignments to the appropriate office for handling. The new system more efficiently directs electronic inquiries to a Benefits Advisor in the appropriate office and transmits the response to the inquirer for electronic approval and clearance by senior staff. By using a unique web link, plan sponsors can upload documents directly into our participant assistance record keeping system. The Benefits Advisor receives automatic notification when new documents are received.

- EBSA has also implemented a *new call management system and web-based reporting tool* throughout its regional offices. This system helps EBSA achieve performance measure targets through more efficient workload management. Also, it allows EBSA to handle more live calls, reduce hold times and dropped calls, and provides managers with real time performance data in order to adjust telephone answering duty roster schedules.
2. *We will assist participants/beneficiaries in understanding their rights, responsibilities and benefits under the law, and in obtaining health, retirement and other employee benefits to which they are entitled.*
- We will strive to handle participant inquiries timely and accurately in accordance with the EBSA's *customer service standards*.
  - *Participant assistance telephone and web inquiries* will be handled and triaged immediately if possible. Calls not answered live will receive an initial call-back no later than by the end of the next business day.
  - Appropriate steps will be taken by the Field and National Office Benefits Advisors to intervene, follow up, and *resolve valid complaints through informal dispute resolution*. Benefit recoveries will be pursued when a determination is made that the participant was denied an earned benefit.
  - *Appropriate referrals* of valid complaints that cannot be resolved informally will be made to EBSA's enforcement staff for *investigation*.
  - *Other appropriate referrals* will be made for support services, such as to other federal, state and local agencies, pro-bono legal clinics, pro-bono actuaries, the ERISA lawyers' network, patient advocacy programs, the Administration on Aging counseling projects, etc.
3. *We will educate workers in job-based health and retirement plans so that they make informed health and retirement benefit decisions. Help them understand how changes in their lives, such as job loss, retirement, marriage, divorce, and childbirth can affect their benefits, and what their options are in those situations.*
- *Publications, fact sheets, frequently-asked questions, and other educational materials* will be updated and/or developed for distribution in multiple

languages through EBSA's Web site, toll-free number, and through national and regional outreach activities.

- *New educational materials* will be developed to inform participants about the Affordable Care Act, the Genetic Information Nondiscrimination Act, the Mental Health Parity and Addiction Equity Act of 2008, and the new retirement rules related to fees, investment advice, qualified domestic relations orders, and lifetime income options.
  - The *Health elaws interactive Web site for participants* will be updated to reflect new health law changes.
  - *Announcements/articles* will be targeted to specific populations in multiple languages, utilizing advocacy groups, faith-based organizations, and other community-based organizations for distribution.
  - *Seminars, speeches, and workshops* will be conducted utilizing standard talking points and other visual aids such as slides, displays, exhibits, etc.
  - *Partnerships* will be forged with employee and employer organizations and associations to disseminate information to workers.
4. *We will protect the most vulnerable populations while assuring broad-based compliance.*

#### Dislocated Workers

- Our outreach and education program will focus on educating workers in job-based health and retirement plans so that they make *informed health and retirement benefit decisions*. We will specifically target dislocated workers, educating them about options to protect their retirement and health benefits when facing job loss. As a priority, we will continue to assist individuals who have questions about their eligibility under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and special enrollment rights under the Health Insurance Portability and Accountability Act, and the Affordable Care Act.
- Dislocated workers will be assisted in understanding their health and retirement benefit plan rights and options. Regional Benefits Advisors will participate in various *Rapid Response Sessions*; will provide *train-the-trainer assistance* and publications to State Workforce Investment Act Officials and One-Stop Center staff.
- All *dislocated worker publications* will be updated and maintained in English and Spanish. Fact Sheets directed to dislocated workers will be developed in additional languages. Materials for individuals facing job loss or relocation will be made available on EBSA's Web site, through the toll-free hotline, and through regional and national outreach events.

- *Periodic contact* will be made by the Regional Offices *with state and federal officials* to coordinate services and identify educational needs of dislocated workers.
- *Training to employers* experiencing shutdowns will be provided as well as education for the affected workers about their pension and health benefits.
- Outreach to dislocated workers will be coordinated with the Employment & Training Administration and the State Employment Agencies. Worker Adjustment and Retraining Notification Act (WARN) Reports identifying companies planning layoffs or closure are received regularly from the Employment & Training Administration and provided to our field offices for targeting outreach to the affected workers.

### Health Plan Participants

- Informing workers of *changes in employer based health benefits laws as a result of the Affordable Care Act and related regulations* that impact individuals' coverage will be a priority for the Agency.
- We will also educate participants and beneficiaries about changes resulting from other recently passed health laws such as the Genetic Information Nondiscrimination Act, the Mental Health Parity and Addiction Equity Act of 2008, Michelle's Law, the Children's Health Insurance Program Reauthorization Act, and any continuation of expanded Consolidated Omnibus Budget Reconciliation Act (COBRA) benefits. Participants will need to be educated as well as employers and plan sponsors to ensure they understand their rights and responsibilities. In addition to the need to provide outreach, we can expect an increase in inquiry volume related to these health benefit issues.

### Workers Unprepared for Retirement

We will also educate individuals about the benefits of saving for retirement, specifically new job entrants and those with access to a plan who are not participating; and, we will educate those who are nearing retirement about steps they can take to increase their retirement security and to reduce risks during the distribution phase of their retirement benefits. Workers also need to know about IRAs and fees associated with rollovers.

- By educating employers who are not sponsoring a retirement plan about their plan options and the reward for offering a plan to their workers, we hope to increase the opportunity for these workers to save.
- The *targeted populations* for the Retirement Savings Education Campaign are:
  - 1) new entrants into the workforce,
  - 2) workers with access to a retirement plan who are not participating or who are not contributing at the maximum contribution level;
  - 3) workers within 5-10 years of retirement, and,
  - 4) diverse populations with lower savings rate.

- *Tools*, such as *written materials, calculators, and interactive Web sites*, including the Small Business Advisor, the Fiduciary Advisor and Health Advisor interactive elaws sites, will be updated or developed.
- We will continue to work with the American Institute of Certified Public Accountants to maintain and update when needed, the website, [www.choosingaretirementsolution.org](http://www.choosingaretirementsolution.org) to help small employers determine which retirement plan is the best option for their company.
- Staff will participate in *speeches and workshops* utilizing standard talking points and other visual aids such as slides, displays, exhibits, etc. to promote retirement planning and saving.
- *Partnerships* will be continued or developed with employers, unions, employee organizations and associations, community based organizations, other federal agencies (including Treasury/Internal Revenue Service, the Securities and Exchange Commission, the Department of Health and Human Services and others), the Department's Women's Bureau, and other organizations at both the national and regional levels to reach the target population groups.
- National partnerships will continue with the American Savings Education Council, the Consumer Federation of America's *America Saves* Program and Treasury's Financial Literacy Commission.

#### Non-English Speaking Workers

- We will target non-English speaking workers and their families for outreach about our program.
  - We will continue to contract with Language Line to provide interpretation services for our Benefits Advisors and to translate our fact sheets, frequently asked questions, videos and publications.
  - We will host Spanish language webcasts and workshops.
  - We will promote our new on-line Spanish translated, *Taking the Mystery Out of Retirement Planning* through exhibits and other activities with the League of United Latin American Citizens and the Council of La Raza.
  - We will work with various community based organizations to reach these populations.
5. *We will provide compliance education and outreach to the employer and the regulated community.*
- To help ensure that employers, plan sponsors and their service providers understand their responsibilities under employee benefit law, we will provide quality and timely technical assistance upon request to the employee benefit plan

community.

- We will also develop and/or continue to provide specific tailored and targeted educational programs, to inform employers, plan sponsors, service providers and practitioners about their ongoing responsibilities and obligations under the Employee Retirement Income Security Act (ERISA), and any new laws or requirements. Compliance educational programs related to the following topics will be a priority:
  - The new Affordable Care Act and regulations;
  - New retirement plan guidance including the definition of a fiduciary, fees, investment advice, qualified domestic relations orders, and lifetime income options;
  - Multiple Employer Welfare Arrangements (MEWA) registration and enforcement;
  - Promotion of EBSA's Voluntary Fiduciary Correction Program, and the Delinquent Filer Voluntary Compliance Program;
  - General ERISA fiduciary requirements for small employers, service providers, bankruptcy trustees;
  - ERISA reporting and disclosure, electronic filing and auditing requirements;
  - Requirements for choosing, starting, and operating a retirement savings plan for small employers who have no plan; and,
  - General fiduciary education for Apprenticeship Plan sponsors
- We will partner with organizations such as the Society for Human Resource Management, the American Institute of Certified Public Accountants, the American Bar Association, and the International Foundation of Employee Benefit Plans to reach human resource managers, accountants, attorneys and other service providers who assist small businesses operate their benefit plans, to ensure they have accurate knowledge of the law and requirements. We will conduct compliance workshops, seminars and webcasts, and will develop frequently-asked questions, publications, videos and interactive websites for these audiences. We will also work with our enforcement and regulatory offices to develop compliance checklists.

6. *We will provide meaningful compliance assistance and engage the regulated community in designing and implementing compliance assistance.*

- As new compliance assistance materials and initiatives are developed we will seek feedback through open dialogue with our key stakeholders.
- In addition we will request feedback from attendees of our seminars and webcasts and will solicit comments on our Website. This feedback will help shape our program and the content and visual effects of our materials.

7. *We will use openness, transparency, and effective press and communications strategies as means of ensuring broad-based and continuing compliance.*

- We will utilize our Website as a primary means to inform our stakeholders about our programs, services and initiatives. Webcasts, videos, and interactive websites

will be used to reach our compliance assistance audience and will cover topics

related to health care reform, fiduciary responsibilities, new pension legislation or regulations, and electronic filing.

- We will continue to seek comments on our website and will respond to feedback.
- We will utilize various media outlets and social networking media to get the word out about our programs and services.
- We will continue to work with the Internal Revenue Service to provide articles to be published in their quarterly newsletters.
- We will develop fact sheets and frequently-asked questions related to new laws passed by Congress and new rules promulgated by the Agency.
- We will post key EBSA data such as updated Form 5500 data sets on the government website [data.gov](http://data.gov) and will continue to post research reports, comments on regulations, enforcement data and other data of interest to the public on our website.
- We will work with the Office of Public Affairs to develop communication strategies on new enforcement, regulatory and participant and compliance assistance initiatives,

8. *We will increase consumer awareness of EBSA's programs and services for individuals, employers, practitioners, employer organizations, state and federal agencies, Congressional Offices and consumer groups about the Agency's services and contact information.*

- Our public outreach priority will be to educate the public and advocacy organizations about our *consumer website pages and the web based participant inquiry/complaint intake portal*. By encouraging the use of the web based form, we will be able to more efficiently handle the ever-increasing volume of inquiries and complaints.
  - EBSA's toll-free number and regional office telephone numbers will still be available to those who choose to contact us by phone.
- *On-site or Web briefings* will be provided to staff members in *district offices of members of Congress* to educate them about the services EBSA provides to their constituents. Regional Benefits Advisors will offer to schedule these briefings in those Congressional district offices that have never been reached as well as those offices that have not been contacted in the last two years.
- *On-site or Web briefings* will be provided to staff members in the *State Insurance Commissioners' Offices and the consumer complaints division of the State Attorneys General Offices and the HHS Consumer Assistance Projects* to educate them about the services EBSA provides to their constituents. Regional Benefits Advisors will offer to schedule these briefings in those offices that

have never been reached as well as those offices that have not been contacted in the last two years.

- *EBSA brochures* and materials will be developed or updated for use at outreach events. All will include EBSA's Web site address and toll-free telephone number.
- *Informational packets* about our services will be distributed to various *community and faith-based organizations* as a means to educate the community, particularly communities of non-English speaking populations.
- Regional staff may participate on *radio and television talk shows*; responding to questions about employee benefits.
- The *media* will be utilized for consumer outreach by developing and disseminating *articles, columns, print and radio announcements* and other materials on both the national & regional level.
- *Posters, flyers* and other informational materials will be distributed in One-Stop Centers, community-based organizations, advocacy groups, post offices, employment commission offices, libraries, churches, career offices of colleges and universities, and other locations to inform consumers about their benefits and where to go for assistance.
- *Direct mailings/emails* to stakeholders will be utilized as a means of educating consumers about their benefits rights.

9. *We will implement collaborative outreach and assistance strategies with other Department of Labor, federal, state and local agencies to leverage our resources.*

- We will work with the Department of Health and Human Services and the Internal Revenue Service to provide compliance and participant outreach and assistance related to the new Affordable Care Act and regulations.
- We will continue to work with the Department of Labor's Wage and Hour Division and Veterans' Employment and Training Service, the Department of Health and Human Services, the Internal Revenue Service and State Insurance Commissioners Offices to conduct Health Benefits Compliance Assistance seminars and webcasts.
- We will continue to submit articles for the Internal Revenue Service Quarterly newsletters.
- We will continue to post information for small business (publications, upcoming events, web tools) on the Small Business Administration's Business Gateway Website.
- We will post information on the Department's on-line events calendar and provide information for the Department of Labor Newsletter.

- In order to reach our targeted audience related to retirement savings education we will continue and/or develop partnerships with Social Security Administration, the Department of the Treasury, the Internal Revenue Service, the Securities and Exchange Commission and other agencies participating in the Financial Literacy Education Commission and the American Savings Education Council Government Interagency Group.
- Educational materials directed to workers facing job loss will be distributed through the One-Stop Centers.
- When developing our retirement plan compliance educational materials we will continue to work closely with the Internal Revenue Service and the Pension Benefit Guaranty Corporation when appropriate, for assistance in drafting and clearing the documents. All of our materials, distributed in print and via the Web are reviewed and cleared by EBSA's regulatory staff and the office of the Solicitor of Labor.
- As we did after the passage of the American Recovery and Reinvestment Act and the Affordable Care Act, we will utilize the Department of Labor Call Center to respond to basic questions from our customers related to new laws and initiatives. Inquiries that are related to individuals' specific situations or complaints that require research and a review of the facts and circumstances related to the issue will be referred to the EBSA Benefits Advisors.

*10. We will partner with worker and community-based organizations to educate workers, small businesses, and others about employee benefit laws and their requirements.*

- We will continue partnerships with the American Association of Retired Persons (AARP), the Society for Human Resource Management, the American Institute of Certified Public Accountants and the Society of Actuaries, to reach our targeted audiences. We will seek to expand our reach into the participant community by developing stronger partnerships with the Pension Rights Center, the Women's Institute for a Secure Retirement, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and others. In addition we will expand our partnerships with the National Council of LaRaza, League of United Latin American Citizens and MANA, A National Latina Organization to reach Spanish-speaking workers and their families.
- By reaching out to various Chambers of Commerce and business groups we will target small employers, black and Hispanic owned businesses, women and disabled veteran owned businesses for outreach related to offering a retirement and health plan for their workers as well as the responsibilities and requirements of operating a plan.
- If funds are available, we also plan to exhibit our compliance materials at the American Bar Association Labor and Tax Section meetings and other American Bar Association events as well as with the AFL-CIO lawyers conference, the national conferences of the American Society of Pension Professionals and Actuaries and the Society for Human Resource Management, with Hispanic and women's legal groups, among others.

11. *We will involve workers and worker organizations in the workplace to prevent, identify and remedy violations.*

- Informed participants are our best resource for identifying violations in the workplace. When workers contact our Benefits Advisors to discuss concerns about their benefits, our Benefits Advisors first research the problem and gather facts and circumstances related to the complaint. If the complaint is valid, the Benefits Advisor will attempt to resolve the matter informally with the plan administrator. If it cannot be resolved informally, and it is a plan wide problem or involves possible criminal action, a referral is made to the investigative staff for formal investigation. This process is the Agency's best source of investigations. Ensuring that workers know who we are, what services we offer, and have access to our educational materials and website is key to finding and correcting violations.
- Branding our Agency must continue to be a priority in 2013 and the future.

12. *We will foster a culture that emphasizes continuous improvement in our program.*

- We will encourage and solicit both internal and external feedback from our stakeholders and customers as well as our own staff. By soliciting feedback through the use of customer satisfaction surveys, focus groups, partner organization feedback and internal staff input we will continuously update our educational materials, outreach strategies and internal operating procedures.
- We will also put a high value on training our staff. As new laws and regulations are implemented and as legal interpretations of the rules are developed, it is imperative that we keep our Benefits Advisors informed and current as they are the face of the Agency.
- We will provide ongoing issue and procedural training through the use of WebEx web conferencing.

13. *We will establish regular processes for evaluation of the success of the Outreach, Education and Assistance Program and our strategies for achieving the desired outcomes.*

- To improve program implementation, better manage and evaluate the program and to assure that our customers are receiving excellent service consistent with the law and responsible practice, EBSA will conduct an independent customer satisfaction evaluation of its participant assistance program in 2013 if funds are available.
- From fiscal year 2003 to fiscal year 2006 we were successful in improving our service to participants and beneficiaries through ongoing monitoring and evaluation of our program outcomes and our customers' satisfaction. Utilizing the Gallup Organization, we surveyed our customers and utilized the results to provide training for our staff and to evaluate our managers' performance. We were able to increase our satisfaction score from 56% to 69% and our program outcomes accordingly. A new survey was conducted in 2011 and our baseline was established as 68%. Our goal for 2013 is 69%.

We will utilize customer satisfaction surveys to evaluate our compliance assistance seminars and workshops and webcast presentations. We will continue to produce timely statistical reports and analyses to assist managers in both the field and national office better manage and evaluate the program. We believe strongly that customer satisfaction coupled with ongoing analysis of program outcomes is the best measure of the success of our participant assistance and outreach programs.

*14. We will engage a research firm to develop a logic model that describes the linkage between OPA activities and EBSA's mission, to propose performance measures, and to use the logic model as a basis for design studies that will generate quantitative evidence that the logic model accurately describes OPA's mission-related impact.*

During FY 2013 EBSA intends to engage an independent professional research firm to assist with developing approaches to analyzing the impact of the work of EBSA's Benefits Advisors. The contractor is expected to design a logic model that describes linkages between the activities of the Benefits Advisors, the outputs and outcomes of the activities, and EBSA's mission. This logic model will then form the basis for 2 – 3 experimental and non-experimental design studies that will new performance measures along with quantitative evidence that the logic model accurately describes the impact of Benefit Advisor activities. This work is expected to be completed by early in the fourth quarter of FY 2013.

- Other forms of evaluation will include:
  - Determining how individuals hear about our Agency and the services we offer, and utilize this information to target outreach activities;
  - Reviewing reports of all technical assistance activities to determine if the program is in compliance with the Agency's customer service standards;
  - Reviewing recoveries made on behalf of participants to determine the success of EBSA's intervention in benefit complaints and the positive impact on the participants;
  - Identifying trends and changes in the numbers, topics and outcomes of inquiries to inform policy decisions and resource allocation;
  - Conducting quality reviews to determine if inquirers are receiving accurate information;
  - Analyzing the number of and results of referrals of complaints for investigation;
  - Obtaining feedback on EBSA's participant assistance, compliance

assistance and other technical advice programs through customer satisfaction surveys; and,

- Reviewing evaluations completed following participant and compliance seminars, workshops and presentations.