

# Your ERISA Rights

## WHAT ARE MY RIGHTS?

As a participant in USF's employee benefit plans listed in the ERISA section of this handbook, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan participants be entitled to:

- Examine without charge, at the Plan Administrator's office and at other specified locations, such as worksites or union halls, all plan documents including insurance contracts, collective bargaining agreements and copies of all documents of the plans filed by the plan with the U.S. Department of Labor, such as detailed annual reports and plan descriptions.
- Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator may make a reasonable charge for the copies.
- Receive a summary of the plans' annual financial reports. The plan administrator is required by law to furnish each participant with a copy of such summary annual reports.
- Obtain a statement telling you whether you have the right to receive pension at normal retirement (age 65) and, if so, what your benefits would be at normal retirement if you stop working under the pension plan now. If you do not have a right to a pension, the statement will tell you how many more years you must work to have the right to a pension. This statement must be requested in writing and is not required to be given more than once a year. The plan administrator will provide the statement free of charge.

## WHAT ARE THE DUTIES OF THE OPERATORS OF THE PLAN?

In addition to creating rights for plan participants, ERISA imposes duties upon the people responsible for the operation of the plan:

- Fiduciaries of the plans, the people who operate your plans, have a duty to operate the respective plans prudently and in the interest of you and other plan participants and beneficiaries.
- No one, including your employer, your unions or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA.
- If your claim for a benefit under any of the covered plans is denied in whole or in part, you must receive a written explanation of the reason for denial.
- You have the right to have the plan administrator review and reconsider your claim.

## WHAT IS THE ERISA CLAIMS APPEAL AND REVIEW PROCESS?

Under ERISA, there are steps you may take to enforce the above rights. For instance, if you request materials from the plan and do not receive them within 30 days, you may file suit in a federal court.

In such a case, the court may require the plan administrator to provide the materials and pay you up to \$100 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the plan administrator.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a State or Federal court. If it should happen that plan fiduciaries misuse the plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees; for example, if the court finds your claim is frivolous.

If you have any questions about your benefits under any of the plans, you should contact the plan administrator. If you have any questions about this statement or about your rights under ERISA, contact the nearest area office of the U.S. Labor Management Services Administration, Department of Labor.

## **SUMMARY PLAN DESCRIPTION**

### **ERISA Information**

Your plans have been established under the guidelines of ERISA (Employee Retirement Income Security Act of 1974). ERISA requires that certain disclosures be made to plan participants. The following provides this information for all plans listed:

#### **Plan Sponsor**

University of San Francisco  
Office of Human Resources  
2130 Fulton Street  
San Francisco, CA 94117-1080  
Attn: Associate Vice President of Human Resources

#### **Plan Administrator**

University of San Francisco  
Office of Human Resources  
2130 Fulton Street  
San Francisco, CA 94117-1080  
Attn: Associate Vice President of Human Resources

#### **Agent for Service of Legal Process**

University of San Francisco  
Office of Human Resources  
2130 Fulton Street  
San Francisco, CA 94117-1080  
Attn: Associate Vice President of Human Resources  
Employer Identification Number  
94-1156628

## Source of Funding

The plans are funded by both employee and University of San Francisco contributions.

Contributions required of employees are determined by the University of San Francisco and are subject to periodic change.

## Review of Legal Documents

If you wish to review or obtain copies of the legal documents for these plans, you may do so by contacting the USF Benefits Manager. In addition, you may request a copy of Form 5500, which the University of San Francisco files with the Department of Labor each year. This form describes the financial condition of each plan. If you wish to correspond with a government agency regarding these plans, you should refer to the employer identification number and plan number.

# ERISA Information

### *USF WELFARE BENEFIT PLANS*

<b>Name of Plan</b>	<b>Plan #</b>	<b>Plan Year</b>	<b>Insurer</b>
Kaiser HMO	501	Jan. 1-Dec. 31	Kaiser Foundation Health
Blue Cross Health Plan	501	Oct. 1-Sept. 30	Blue Cross
Delta Dental	501	Jan. 1-Dec. 31	Delta Dental
Group Term Life Insurance	501	July 1-June 30	Sun Life of Canada
Long-Term Disability	501	July 1-June 30	Sun Life of Canada
Flexible Spending Accounts Health Plan Waiver Premium Vision Plan (optional)			
Personal Accident Insurance	501	July 1-June 30	Sun Life of Canada
Travel Accident Insurance	501	Nov. 1-Oct. 31	AIG Life Insurance Company
Employee Assistance Program	501	Jan. 1-Dec. 31	CONCERN
Tuition Remission Plan	501	Jan. 1-Dec. 31	Self-Funded
Emeriti Retirement Health Solutions	515	Jan. 1-Dec. 31	Fidelity

### *USF PENSION PLANS*

<b>Name of Plan</b>	<b>Plan #</b>	<b>Plan Year</b>	<b>Insurer</b>
Defined Contribution Retirement Plan	002	Jan. 1-Dec. 31	TIAA-CREF
University of San Francisco 403(b) Plan	003	Jan. 1-Dec. 31	VALIC FIDELITY

Employer Identification Number: 94-1156628