

## Notice of Solicitation Rules

### **The Purpose of This Notice:**

It is the intention of this District to allow all employees who are interested in learning about the potential benefits of participation in our voluntary pre-tax retirement investment program (the 403(b) Program) to have reasonable opportunity to do so without interrupting the normal flow of day to day responsibilities. The providers of our 403(b) products and investment options, along with their agents, are therefore required to follow the solicitation rules outlined in this notice. The notice is also being made available to all employees.

### **Access to Employees:**

Providers and their agents who are providing educational information, making appointments, or otherwise contacting employees in the work place are restricted to the following:

1. Appointments must take place before or after normal working hours, or during regularly scheduled lunch breaks. These appointments must take place outside of the workplace.
2. No employee is to be contacted to solicit participation in a 403(b) product or option during their normal working hours, except that an employee who has unscheduled time (such as planning periods) may initiate contact with a provider during that unscheduled time. To protect the privacy rights of our employees, the District does not provide mailing lists or personal contact information on its employees.
3. Generally, District policy prohibits advertising, sale of merchandise, and commercial enterprises in District facilities. Therefore, distribution of materials by vendors in District facilities is prohibited.
4. Whenever the District sponsors Benefit Fairs for its employees, all authorized vendors will be notified and invited to participate.

### ***No other contacts are permitted on site during normal business hours.***

Providers and their agents who violate the rules that permit employees to receive information in the workplace will receive a written warning. If violations continue, the provider will lose the right to enroll new participants altogether.

### **Timing of Changes:**

The Payroll Department will accept salary reduction agreements to start contributions, to change providers, or to increase or decrease contributions as follows:

By the deadline set by the Payroll Office for a given month in order for the salary reduction agreement to be applicable to that month.

In particular, contributions to a 403(b) account can be stopped at any time provided the form is submitted in advance of the payroll cutoff date for the affected paycheck.

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### **Salary Reduction Agreements:**

Only the Salary Reduction Agreements designed and approved by the District will be permitted. Agreement forms are available on the District's section of the Carruth Compliance Consulting website at [www.ncompliance.com](http://www.ncompliance.com).

The Salary Reduction Agreement requires an original signature by the employee, therefore no faxes will be accepted. Also required is a copy of the vendor application if the salary reduction agreement is initializing a new 403(b) account.

### **Maximum Annual Contribution Calculations:**

Employees and/or agents representing employees may request determinations of maximum annual contribution limits by contacting the District's consultant (email is preferred):

Harvey Carruth  
Carruth Compliance Consulting, Inc.  
10555 SW Lady Marion Drive  
Tigard, OR 97224  
503-968-8961  
[jcarruth@ncompliance.com](mailto:jcarruth@ncompliance.com)

### **Minimum Number of Participants Requirement:**

A Provider must enroll a minimum number of participants to become eligible for authorized vendor status. Again, the minimum number of participants information is available on the District's section of the Carruth Compliance Consulting website at [www.ncompliance.com](http://www.ncompliance.com). In addition, the Provider must submit a completed [Certification and Agreement Form](#), a completed [Employer-Specific Information Form](#), and copies of the participant application forms. The District will not provide employee lists or mailing labels for vendor use. Even after a Provider is designated as an authorized vendor, Provider must maintain the applicable minimum number of participants or it will lose its authorized vendor status.

### **In Summary:**

A vendor is required to maintain the required minimum number of participants to be eligible for authorized vendor status. Access to District employees is limited to before and after normal working hours, and locations outside of the workplace. Employees, however, may initiate contact with a vendor during unscheduled time in their day. Providers and their agents are reminded that violation of the solicitation rules will first result in a written warning from the District; and if continued, could result in loss of the right to enroll new participants in the 403(b) program.