ARTICLE 1. GENERAL PROVISIONS

R2-9-101. Employee Solicitation for Tax-Deferred Annuities and Deferred Compensation Plans

A. The administrator under contract with the Governing Committee shall draft and present an annual business plan that describes its approach to educating and marketing to employees regarding the tax-deferred annuity and deferred compensation plans. The administrator’s business plan is subject to the approval of the Governing Committee. The business plan shall include:
1. Enrollment and participation goals for employees;
2. Performance measures for the administrator;
3. Plans for achieving the goals and performance measures;
4. An explanation of the effect of participation on take-home pay and future retirement income; and
5. Information regarding retirement planning and investment options.

B. The administrator shall establish and follow written procedures that provide for the impartial representation of the available investment options and investment products offered under the tax-deferred annuity and deferred compensation plans. The written procedures are subject to the advance written approval of the Governing Committee. The procedures shall:
1. Include directives to the administrator’s personnel that information provided to the employees shall be presented in a fair and equal manner, allowing employees to make individual choices based upon their specific investment needs or desires;
2. Be adequate to ensure that the administrator’s personnel will not engage in preferential solicitation of any investment option or investment product; and
3. Include a means of monitoring at reasonable intervals the adequacy of the procedures and reporting the results of the monitoring to the Governing Committee.

C. The failure of the administrator to present the plan required in subsection (A), or the failure of the administrator to establish and follow the procedures required in subsection (B), is a breach of its contract with the Governing Committee.

Historical Note
Former Rule 1; Former Section R2-9-01 repealed, new Section R2-9-01 adopted effective May 7, 1980 (Supp. 80-3). Former Section R2-9-01 renumbered as Section R2-9-101 (Supp. 82-1). Section repealed; new Section made by final rulemaking at 10 A.A.R. 3265, effective September 24, 2004 (Supp. 04-3).

R2-9-102. Repealed

Historical Note
Former Rule 2; Former Section R2-9-02 repealed, new Section R2-9-02 adopted effective May 7, 1980 (Supp. 80-3). Former Section R2-9-02 renumbered as Section R2-9-102 (Supp. 82-1). Section repealed by final rulemaking at 10 A.A.R. 3265, effective September 24, 2004 (Supp. 04-3).