

ERISA 3(21) vs. 3(38) Fiduciary Services

Helping you manage your fiduciary responsibility



Which Service is Right for You?

ERISA 3(21)

Schneider Downs screens, monitors, and recommends investment options for a plans lineup, but it's up to you to either select investment options from a select list or approve Schneider Down's recommended fund menu.

ERISA 3(38)

Schneider Downs screens, selects and monitors a plan's investment options and adjusts as appropriate.

Your plan can benefit from ERISA 3(21) and 3(38) fiduciary services with a Schneider Downs program that delivers the following:

- Thorough investment manager due diligence
- Investment option recommendations
- Investment policy statement
- Regular monitoring and reporting

Before deciding which service is right for your plan, consider the following:

- Participant investment sophistication
- Plan trustee investment experience
- Current investment resources
- Plan size and participant balances

	3(21) Fiduciary Service	3(38) Fiduciary Service
Service Type	"Help me do it"	"Do it for me"
Primary Responsibilities	Schneider Downs provides recommendations for the investment options in the lineups, and you retain discretion over which investment options are offered to the plan.	You delegate responsibility to Schneider Downs for selecting and monitoring plan investment options.
Initial Menu Design and Model Portfolio Construction	Schneider Downs makes an initial recommended fund menu and model portfolio allocations, which you then have to approve to be added.	You delegate responsibility to Schneider Downs – Schneider Downs selects an initial recommended fund menu and model portfolio allocations.
Asset Class Selection	Schneider Downs	Schneider Downs
Investment Option Selection	You choose what changes to make to the Fund Menu	Schneider Downs makes the changes to the Fund Menu
Periodic Investment Option Monitoring	You, with Schneider Downs support.	You will periodically review Schneider Down's services.
Implementing Changes to the Lineup	You choose whether to implement changes to your plan's lineup based on Schneider Down's changes to the Select List or recommendations for the Fund Menu, and you may direct the recordkeeper to automatically execute Schneider Down's recommendations.	Schneider Downs directs the recordkeeper to implement any changes.
Fiduciary Responsibility for Investment Selection and Monitoring	Schneider Downs is co-fiduciary.	Schneider Downs
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