ERIC
The ERISA Industry Committee

April 19, 2011

Submitted through the Federal eRulemaking Portal:
http://www. regulations.gov

Legislative and Regulatory Department
Pension Benefit Guaranty Corporation
1200 K Street, NW
Washington, DC 20005-4026

Re: Regulatory Review

Ladies and Gentlemen:

The ERISA Industry Committee ("ERIC") is pleased to respond to the PBGC's request for comments on making regulations more effective and less burdensome. The PBGC's request relates to the President's Executive Order 13536, "Improving Regulation and Regulatory Review." The request focuses on ways to ensure that regulations, and the process by which those regulations are promulgated, responds to the needs of all stakeholders. Our comments, therefore, do not directly address regulatory or legislative proposals that are currently under consideration.

ERIC is a nonprofit association committed to the advancement of the employee retirement, health, incentive, and welfare benefit plans of America's largest employers. ERIC's members provide comprehensive retirement, health, and other benefits directly to tens of millions of active and retired workers and their families. ERIC's members have historically provided defined benefit pension plans to their members; PBGC regulations have a significant effect on these plans and the employers that sponsor them.

ERIC's members strongly support policies that promote sponsorship of retirement plans that provide meaningful and secure benefits.

At the same time, however, ERIC's members do business in an increasingly competitive global and domestic economy. ERIC's members must compete with companies whose benefit programs are not as costly as ERIC's members' plans. As federal regulations become more complex and pervasive, ERIC's members are forced to spend a larger and larger portion of their available time, effort, and financial resources complying with regulatory requirements. (The attached Reporting and Disclosure Requirements Calendar prepared by Towers Watson exemplifies the growing burdens.)

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This problem is particularly significant with respect to defined benefit pension plans. Recognizing the burdens of complying with myriad complex rules, newer startup companies that have been successful in the last 20 plus years have almost universally decided not to provide defined benefit pensions. In order to compete with those companies, many employers that still sponsor defined benefit plans feel enormous pressure to terminate them.

Over the last 30 years, numerous major legislative and regulatory reforms were designed to increase retirement security. But regulatory compliance burdens have continued to increase, resulting in further reductions to the number of defined benefit plans and the number of participants enrolled in them. In recent years, the trend has even affected companies that historically were wedded to offering defined benefit arrangements.

This phenomenon is well-documented and has led to countless hearings and initiatives to find new ways to provide more meaningful and secure retirement benefits. <u>ERIC believes that a less burdensome regulatory system would encourage more employers to sponsor defined benefit plans—providing more meaningful and secure retirement benefits, and strengthening the PBGC by increasing its premium base</u>. Accordingly, ERIC welcomes the PBGC's regulatory review.

In light of the far-reaching effect that PBGC regulations can have on employers and other interested parties, ERIC recommends ongoing initiatives to keep the regulated community actively engaged in the review of existing regulations and the development of new regulations. In particular, ERIC recommends:

1. Creating a stakeholder advisory group, consisting of representatives from large employers, practitioners, and other interested parties, that would meet periodically to review regulations and discuss other issues of importance;

2. Using a more collaborative rulemaking process to ensure that the PBGC and other agencies adequately address the impact of major regulations; and

3. Expanding the PBGC's Board of Directors to include outside directors who can represent stakeholder interests.

Each proposal is discussed below.

1. The PBGC should create a stakeholder advisory group that would meet regularly to review regulations and the impact of the PBGC's activities on the pension system, and to discuss other issues related to the PBGC's impact on plan sponsors.

In order to achieve the objectives of Executive Order 13563 in a sustainable way, it is important to have ongoing input from employers and other parties who are affected by the PBGC's regulations. In the same way as the Information Reporting Program Advisory Committee ("IRPAC") provides a public forum for discussing important issues with IRS officials, a stakeholder advisory group could provide valuable input to the PBGC on an ongoing basis.

The advisory group should consist of representatives from large employers, practitioners, and other interested parties. Unlike the PBGC's existing Advisory Committee, the new advisory group should not comprise members who are nominated by the President. In addition to eliminating any specter of political influence, this advisory group can provide stability as administrations change.

The following are examples of ways that an advisory group could help to improve the regulatory process and strengthen the PBGC:

- The advisory group could review existing regulations and other guidance, and report to the PBGC inefficiencies and other concerns, including areas where guidance is needed.

- The advisory group could review the PBGC's voluntary correction program and recommend improvements and expansion to address the needs of the regulated community. Concerns raised in connection with comprehensive premium filings for 2009 illustrate the value that the advisory group could provide.

  Many employers that intended to elect the alternative premium funding target (APFT) for 2009 were initially told that they could not use the APFT because they had inadvertently failed to check a box on the filing. Although the PBGC addressed this problem in Technical Update 10-2, some filers have reportedly been advised that they are not eligible correct erroneous or late filings—even if they provided evidence of their intentions, and without regard to exigent circumstances. An advisory group would be able to provide valuable real-time information about the problems that employers are having and offer suggestions for addressing the issue. Going forward, the advisory group could review Technical Update 10-2 and offer suggestions for addressing lingering issues.

  In addition, the PBGC's voluntary correction program should be expanded to cover errors and exigent circumstances related to filings and other requirements.

- When new regulations are on the drawing board, advance input from the advisory group can help to identify and resolve major issues before the regulations are proposed. A greater understanding of how a proposal would affect stakeholders (including employers, participants, and practitioners) will result in a better initial product. It would also result in stakeholders better understanding the needs of the PBGC and the pension system—which would make their comments more useful. In short, a better mutual understanding would make the rulemaking process more efficient and effective.

For example, after the PBGC proposed eliminating waivers for many reportable events, employers raised concerns that eliminating the waivers would cause them to breach loan covenants. Advance input from an advisory group would have helped the PBGC to craft a more workable proposal.

- The advisory group and the PBGC could work together to make sure that other regulators and legislators appropriately take into account the effect that regulations and legislation might have on the health of the pension system and the PBGC. It is critical that all of the rules affecting pension plans work together to encourage more employers to sponsor defined benefit plans. Adding plan sponsors, particularly major employers, to the system is the most effective, and least controversial, way to provide meaningful benefits to employees and ensure that the PBGC maintains a large and sustainable premium base.

- Investment professionals who are responsible for plans regulated by the PBGC could share ideas and experience on investment strategies.

2. The PBGC should use a more collaborative process for promulgating major regulations.

ERIC members believe that the existing reportable event regulations under 29 C.F.R. Part 4043 have been successful in large part because they reflect the consensus of a negotiated rulemaking committee that consisted of representatives of employers, participants, practitioners, and the PBGC. *See* 61 Fed. Reg. 63988 (Dec. 2, 1996). A similar process (even if not formal negotiated rulemaking) for ongoing and future regulation projects would help to ensure that regulations are workable and appropriately balance the needs of all stakeholders.

The regulated community's comments on recent proposals to eliminate waivers for many reportable events and to expand the application of ERISA § 4062(e) illustrate the advantage of collaborative rulemaking. Under the standard process of issuing proposed regulations and then finalizing them, the PBGC is forced to consider comments and resolve complicated issues largely on its own. The process takes a long time and there is a significant risk of not getting everything "right." By contrast, back-and-forth sharing of ideas and concerns is an efficient way to develop final rules that everyone can live with.

3. The Board of Directors of the PBGC should be expanded to include outside directors who can represent stakeholder interests.

A December 1, 2010 study by the Government Accountability Office entitled "Improvements Needed to Strengthen Governance Structure and Strategic Management" recommended that Congress consider expanding the PBGC's Board of Directors "to include additional members with diverse backgrounds who possess knowledge and expertise useful to PBCG's mission." As outlined in the GAO study, outside directors can offer a skill set that is more closely linked to the PBGC's particular challenges and strategic visions. Increased size would enable the Board to provide more effective oversight by establishing committees for specific functions (such as investments and audits); and outside directors would provide continuity when administrations change.

ERIC appreciates that discussions are underway to improve the PBGC's governance structure. Serious consideration should be given to expanding the Board to include outside directors that reflect stakeholder interests. Although governance of the PBGC is ultimately in the hands of Congress, the PBGC should support initiatives to expand the Board of Directors to include stakeholders.

The importance of including stakeholders on the Board of Directors is exemplified by the PBGC's support of efforts to transfer from Congress to the PBGC sole authority to assess individualized premium rates based on employer/plan sponsor credit-worthiness. Putting the PBGC in charge of determining not only the amount of the premium that individual employers pay, but also the means by which they are set—with no effective oversight from Congress or another neutral party—would create a direct conflict of interest. The risk of being assessed unpredictable premiums based on a conflicted governmental agency's assessment of the employer/plan sponsor's credit worthiness would accelerate the flight from the defined benefit system; and it would all but ensure that employers who do not have defined benefit pension plans never create them.

Ultimately, this flight would leave the PBGC in an even more precarious position than it is in today. As companies freeze and terminate their plans, the only companies left to pay premiums will be the ones least able to do so—and most in need of a PBGC takeover.

Including stakeholders on the Board of Directors would help to ensure that the PBGC appropriately takes into account the negative consequences that can flow from proposals like the fee proposal. Rather than threaten existing plan sponsors with unpredictable premiums that are likely to interfere with a company's ability to compete, the PBGC should work with stakeholders to encourage more employers to sponsor meaningful defined benefit plans. As noted above, growing the PBGC's premium base is the only way to ensure long-term fiscal success. Easing administrative burdens and increasing efficiency and balance in the regulatory process are steps in the right direction.

Our members have a significant stake in the pension system and ERIC appreciates the opportunity to provide comments on the PBGC's regulatory review. With that in mind, we reserve the right to submit additional comments in the future.

If you have any questions concerning our comments, or if we can be of further assistance, please let us know.

Sincerely,

Mark J. Ugoretz
President & CEO

2011

Expanded Reporting and Disclosure Requirements Calendar

Single-Employer Pension and Welfare Plans Under ERISA

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NOTE: Throughout, "DB" represents defined benefit plans, "DC" represents defined contribution plans, and "HW" represents health and welfare plans.

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Reporting Requirements

Item	Description	Recipient	Due Date	Forms	Law/Regulation
IRS Form 1099-R (DB/DC)	Report of distributions from pensions, annuities, retirement or profit-sharing plans, IRAs, insurance contracts, etc.	IRS and payees	1/31/2011 payees; 2/28/2011 (3/31/2011 if filed electronically) IRS; additional 30 days to file with IRS if extension requested	File with transmittal IRS Form 1096, if filing on paper	IRC Sec. 6047(d), IRS Reg. 35.3405-1T, E-9
	Method of Delivery	If required to file 250 or more Form 1099-Rs, file electronically. Otherwise, Form 1099-R may be filed on paper. Timely mailing is treated as timely filing as evidenced by U.S. postmark, registered mail receipt or date recorded by private delivery service.			
	Who Must File or Disclose	Plan administrator or, if the plan administrator does not make the required reports, the payor.			
Estimated Flat-Rate Premium Filing (DB)	Estimated flat-rate premium payment for DB plans with 500 or more participants. The 2011 flat-rate premium is $35 per participant.	PBGC	2/28/2011		ERISA Sec. 4006 and 4007, PBGC Reg. 4006 and 4007
	Method of Delivery	Electronic filing using My Plan Administration Account (My PAA). My PAA is a PBGC-designed web-based filing program.			
	Who Must File or Disclose	Plan administrators of DB plans			
PBGC Reporting for Underfunded Plans (DB)	Annual reporting of financial and actuarial information	PBGC	4/15/2011. If all nonexempt controlled group members have the same non-calendar fiscal year, 105 days after close of fiscal year	No prescribed form	ERISA Sec. 4010, PBGC Reg. 4010, PBGC Technical Update 09-2
	Method of Delivery	Electronic filing using the PBGC e-4010 web-based application			
	Who Must File or Disclose	The contributing sponsor of a DB plan and members of the contributing sponsor's controlled group if any plan in the controlled group has a funding percentage below 80%. Reporting is also required if (1) the conditions for imposition of a lien for having missed required quarterly plan contributions in excess of $1 million have been met by any plan maintained by the contributing sponsor or any member of its controlled group, or (2) minimum funding waivers in excess of $1 million have been granted for any plan maintained by the contributing sponsor or any member of its controlled group, and any portion thereof is still outstanding. Reporting is waived for a controlled group if the aggregate plan underfunding does not exceed $15 million (disregarding those plans with no underfunding); however, the waiver does not apply if reporting is required for any reason other than having a funding percentage below 80%.			
IRS Form 5558 (DB/DC/HW)	Application for extension of time to file Form 5500. Extension up to 10/17/2011. Not required if filer uses automatic extension to 9/15/11; i.e., plan year and employer tax year are the same and the employer was granted extension for income tax return.	IRS	8/1/2011	IRS Form 5558	DOL Reg. 2520.104a-5(a)(2)
	Method of Delivery	Paper filing. Timely mailing is treated as timely filing as evidenced by U.S. postmark, registered mail receipt or date recorded by private delivery service.			
	Who Must File or Disclose	Form 5558 does not require a signature and may be filed by the plan sponsor, the plan administrator or a third party acting on behalf of the plan. If Form 5558 is filed on time and is complete, the extension is automatic.			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
Form 5500 (including applicable schedules and attachments) (DB/DC/HW)	Annual return/report of employee benefit plan	DOL, IRS and the PBGC. DOL created EFAST2 to streamline the filing and processing methods for Form 5500.	8/1/2011 (9/15/2011 if automatic extension applies); 10/17/2011 if Form 5558 is filed	Form 5500 Annual Return/ Report of Employee Benefit Plan; Form 5500-SF Annual Return/Report of Small Employee Benefit Plan; Schedule A–Insurance Information; Schedule C–Service Provider Information; Schedule D–DFE/Participating Plan Information; Schedule G–Financial Transaction Schedules; Schedule H–Financial Information; Schedule I–Financial Information–Small Plan; Schedule MB–Multiemployer DB Plan and Certain Money Purchase Plan Actuarial Information; Schedule R–Retirement Plan Information; Schedule SB–Single-Employer DB Plan Actuarial Information; Independent Accountant's Report	ERISA Sec. 103, ERISA Sec. 104, PBGC Reg. 4065, IRC Sec. 6058, DOL Sec. 2520.104-46(b)
	Method of Delivery	Form 5500 Annual Returns/Reports and any required schedules and attachments, must be completed and filed electronically using EFAST2-approved third-party software or using iFile.			
	Who Must File or Disclose	Plan administrators of DB and DC plans, welfare benefit plans and plans that participate in a master trust must sign and file Form 5500. Unfunded and fully insured welfare plans with fewer than 100 participants are not required to file Form 5500. Governmental plans and church plans that have not elected ERISA coverage under Section 414(e) of the Internal Revenue Code also do not file Form 5500. An alternative filing method for nonqualified pension plans is described in DOL Reg. 2520.104-23.			
IRS Form 8955-SSA (Replaces Schedule SSA (Form 5500)) (DB/DC)	Annual Registration Statement Identifying Separated Participants With Deferred Vested Benefits	IRS	Plan administrators are not required to file Form 8955-SSA for the 2009 plan year until the IRS issues further instructions.	IRS Form 8995-SSA	IRC Sec. 6057(a)
	Method of Delivery	Paper filing. Timely mailing is treated as timely filing as evidenced by U.S. postmark, registered mail receipt or date recorded by private delivery service.			
	Who Must File or Disclose	Plan administrators of DB and DC plans			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
Comprehensive PBGC Premium Filing (DB)	A comprehensive premium filing is used to report flat-rate premium and related data, variable-rate premium and related data, and additional data such as identifying information and miscellaneous plan-related or filing-related data. For large plans (500 or more participants), the comprehensive premium filing also serves to reconcile an estimated flat-rate premium paid earlier in the year. The 2011 flat-rate premium is $35 per participant. The variable-rate premium is based on plan liabilities. Premium payments are a plan liability and may be paid from plan assets.	PBGC	10/17/2011 (plans with 100 or more participants); variable-rate premium can be an estimate with a true-up by 4/30/2012 if certain conditions are met; 4/30/2012 if fewer than 100 participants	Prescribed electronic format	ERISA Sec. 4006 and 4007, PBGC Reg. 4006 and 4007
	Method of Delivery	Electronic filing using My Plan Administration Account (My PAA). My PAA is a PBGC-designed web-based filing program.			
	Who Must File or Disclose	Plan administrators of DB plans			
Reportable Events (DB)	Statement of facts related to the reportable event, and plan and actuarial information. Reportable events include: (a) 20% reduction in active participants since beginning of year or 25% reduction since beginning of previous year; (b) inability to pay plan benefits when due; (c) changes in contributing sponsor or plan's controlled group; (d) distributions to a substantial owner of $10,000 or more; (e) bankruptcy, insolvency, liquidation or dissolution of contributing sponsor or controlled group member; (f) failure to make required minimum funding payment; (g) application for a minimum funding waiver; (h) transfer of benefit liabilities outside controlled groups; (i) extraordinary dividend or stock redemption by controlled group member; and (j) default by controlled group member on loan balance exceeding $10 million.	PBGC	Post-event reporting is required within 30 days after plan administrator or contributing sponsor knows, or has reason to know, that a reportable event has taken place. Waivers or extensions are available for certain post-event notices if conditions specified in regulations are satisfied. Advance reporting is required at least 30 days before the effective date of certain reportable events.	PBGC Form 10, PBGC Form 10-Advance	ERISA Sec. 4043, PBGC Reg. 4043; PBGC Technical Update 10-4
	Method of Delivery	By mail, hand delivery, commercial delivery service or electronic filing (e.g., e-mail or fax). Timely mailing is treated as timely filing of post-event notice, as evidenced by (1) a legible U.S. postmark or (2) timely deposit with a commercial delivery service, provided it is received by the PBGC within two regular business days. Advance notices are filed on the date received by the PBGC, if received no later than 4:00 p.m. on a regular business day. File by next business day if due date falls on a Saturday, Sunday or federal holiday.			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Who Must File or Disclose	The plan administrators and each contributing sponsor of an employee DB pension plan subject to the plan termination insurance provisions of ERISA for which a reportable event has occurred. A filing by the plan administrator or contributing sponsor will be deemed a filing by all persons required to notify the PBGC. Generally, a company is subject to advance reporting if (1) neither the contributing sponsor nor the member of the controlled group to which the event relates is a public company, and (2) a "threshold test" is met, (3) in the aggregate, unfunded vested benefits (UVBs) of plans maintained by the controlled group exceed $50 million (disregarding plans with no UVBs), and (4) the aggregate funded vested benefit percentage (i.e., the ratio of assets to vested benefits) for underfunded plans is less than 90%. UVBs and vested benefits are calculated as of the testing date (generally the last day of the plan year preceding the event year).				
Notice of Failure to Make Required Contributions of More Than $1 Million (DB)	Information needed by the PBGC to make decisions regarding enforcement of a lien imposed by ERISA in favor of the plan for failure to make certain required contributions. The lien does not arise, and the PBGC is not required to be notified, if the total of unpaid balances (including interest and funding waivers) does not exceed $1 million.	PBGC	No later than 10 days after the due date of the required payment. Notice is still required if missed contribution is made within the 10-day period.	PBGC Form 200	ERISA Sec. 303(k), IRC Sec. 430(k), PBGC Reg. 4043.81
	Method of Delivery	By mail, commercial delivery service, hand delivery or electronic transmission (e.g., e-mail or fax). Form 200 is treated as filed when received by the PBGC.			
	Who Must File or Disclose	The contributing sponsor and, if the contributing sponsor is a member of a parent-subsidiary controlled group, the ultimate parent. If either the contributing sponsor or the ultimate parent completes and submits Form 200, the PBGC will consider the notice requirement satisfied.			
Plan Merger, Consolidation, or Transfer of Assets or Liabilities (DB)	Actuarial Statement and information concerning the merger, consolidation or transfer	IRS	At least 30 days before the merger, consolidation or transfer of assets or liabilities	Form 5310-A	IRC Sec. 6058(b), IRS Reg. 301.6058-1
	Method of Delivery	By mail or designated private delivery service. Timely mailing is treated as timely filing.			
	Who Must File or Disclose	The plan sponsor or plan administrator of a pension or profit-sharing plan involved in a merger or transfer of plan assets or liabilities. See instructions to Form 5310-A for exceptions to the reporting requirement for mergers, consolidations or transfers of plan assets or liabilities.			
Notice of Qualified Separate Line of Business (QSLOB) (DB/DC)	Notice that employer elects to be treated as operating Qualified Separate Line of Business (QSLOB) or that it either modifies or revokes a previously filed notice	IRS	Notice of QSLOB election, modification or revocation must be given on or before the notification date. The notification date for a testing year is the later of (a) Oct. 15 following the testing year, or (b) the 15th day of the close of the plan year of the employer's plan that begins earliest in the testing year. The testing year is the calendar year.	Form 5310-A	IRS Rev. Proc. 93-40
	Method of Delivery	By mail or designated private delivery service. Timely mailing is treated as timely filing.			
	Who Must File or Disclose	Employers electing to be treated as operating QSLOBs. Only one notice per controlled group employer (within the meaning of Code Section 414(b), (c) or (m)) is required.			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
Change in Plan/Trust Year (DB/DC)	Information on the plan or trust year change. Filing must be in duplicate. Certain changes in plan/trust year are granted automatic approval under Rev. Proc. 87-27.	IRS	On or before the last day of the short-year period to effect change in plan or trust year	Form 5308	IRC Sec. 412(d)(1), IRC Sec. 442, Rev. Proc. 87-27
	Method of Delivery	By mail			
	Who Must File or Disclose	The employer of a DB, money purchase or target benefit pension plan that intends to change its plan year and the employer of any qualified pension (DB or DC) plan that intends to change its trust year			
Change in Funding Method (DB)	Changing a plan's funding method requires IRS approval. For plan years beginning on or after 1/1/2009, IRS Ann. 2010-3 grants automatic approval for certain changes in funding method with respect to single-employer DB plans that result either from a change in the valuation software used to determine the liabilities for such plans or from a change in the enrolled actuary and the business organization providing actuarial services to the plan.	IRS	Change request should be filed with the IRS before the close of the plan year to which it applies. However, requests made within $2\frac{1}{2}$ months after the close of the plan year will generally be considered, at the discretion of the IRS, if the filer attaches a statement detailing an adequate reason for the delay. Requests made after $2\frac{1}{2}$ months after the close of the plan year generally will not be considered. However, a request for approval of a change in funding method involving a plan merger should be made no later than 4 months before the filing deadline for Schedule SB (Actuarial Information) of Form 5500 (of the merged plan) for the plan year in which the merger took place.	No form prescribed. Rev. Proc. 2000-41 outlines the information that needs to accompany the request, including applicable worksheets setting forth the effect of the proposed change.	IRC Sec. 412(d)(1), IRS Rev. Proc. 2000-40 (note: Rev. Proc. 2000-40 has not been updated for PPA '06), IRS Announcement 2010-3
	Method of Delivery	By mail or hand delivery to IRS national office			
	Who Must File or Disclose	The plan administrator or plan sponsor of a DB pension plan that intends to change the plan's funding method			
Notice of Withdrawal of a Substantial Employer (Multiple Employer Plans) (DB)	Notification of withdrawal and request for determination of associated liability	PBGC	Within 60 days after withdrawal from plan	No form prescribed	ERISA Sec. 4063(a)
	Method of Delivery	By mail, hand delivery, commercial delivery service or electronic filing (e.g., e-mail or fax). Timely mailing is treated as timely filing, as evidenced by (1) a legible U.S. Postal Service postmark, or (2) timely deposit with a commercial delivery service, or (3) the date on which the information is transmitted electronically to the PBGC, provided there is no reason to believe the information was not delivered.			
	Who Must File or Disclose	Plan administrators of DB pension plans if at least two contributing sponsors are not under common control			
Notification of Application for Recognition of Exempt Status	Information on plan terms and benefits. Trusts of voluntary employees' benefit associations (VEBAs) and SUB plans will not be recognized as tax-exempt by the IRS unless the required notification is given.	IRS	15 months from the end of the month in which the organization or trust was organized	Form 1024	IRC Sec. 505(c), IRS Reg. 1.505(c)-1T, IRS Reg.301.9100-2

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Method of Delivery	By mail or private delivery service			
	Who Must File or Disclose	Used by most types of organizations (other than qualified retirement plans) to apply for exemption under IRC Section 501(a)			
Annual Report for MEWAs and Certain Entities Claiming Exception (ECEs) (HW)	Information concerning compliance by multiple employer welfare arrangements (MEWAs) with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Mental Health Parity Act of 1996, the Newborns' and Mothers' Health Protection Act of 1996 and the Women's Health and Cancer Rights Act of 1998	DOL	March 1 (or next business day) following each calendar reporting year. One-time, 60-day automatic extension available. Also, within 90 days of origination, unless an exception applies	Form M-1	ERISA Sec. 101(g), DOL Reg. 2520.101-2
	Method of Delivery	By mail or private delivery service. Online electronic filing available at www.askebsa.dol.gov/mewa			
	Who Must File or Disclose	Administrators of MEWAs and Entities Claiming Exception (ECEs). A MEWA is a welfare benefit plan or arrangement that provides medical benefits to the employees of two or more employers. An ECE is an arrangement that claims not to be a MEWA because it is collectively bargained. Certain exemptions are available.			

Disclosure Requirements

Item	Description	Recipient	Due Date	Forms	Law/Regulation
DB Plan Annual Funding Notice	Summary of plan's funded status for the plan year and two previous plan years, participant counts, plan's funding policy and asset allocation information, and schedule of plan amendments and other known events having a material effect on funded status. Also, a summary of ERISA plan termination procedures and PBGC guarantee limits, information about obtaining a copy of plan's annual report, and notice of an ERISA Section 4010 filing (if any)	Plan participants, beneficiaries, and labor organizations representing plan participants and beneficiaries. PBGC if underfunded by more than $50 million	4/30/2011. Small plans (100 or fewer participants on each day during the plan year preceding the plan year to which the notice relates) must provide the notice by the filing date for the plan's Form 5500. If Form 5500 is not filed in a timely manner, the annual funding notice is still due on the Form 5500 due date (including extensions).	Specified format described in DOL Field Assistance Bulletin (FAB) 2009-1 or DOL Prop. Reg. 2510.101-5, Appendix A, provide model forms. (Either format may be used.)	ERISA Sec. 101(f); DOL FAB 2009-1, DOL Prop. Reg. 2510.101-5
	Method of Delivery	Any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Includes hand delivery and first-class mail. The funding notice may be furnished electronically in accordance with the DOL safe harbor rules on electronic communications or the IRS E-sign rules.			
	Who Must File or Disclose	Plan administrators of DB plans subject to Title IV of ERISA			
Summary Annual Report (SAR) (DC/HW)	Summary information on plan's financial activities as reported on Form 5500 Annual Report and statement of right to receive copy of Form 5500 Annual Report. Certain foreign language rules apply to large plans in which the lesser of 500 or 10% or more of all participants are literate only in the same non-English foreign language, and to small plans that cover fewer than 100 participants at the beginning of the plan year in which at least 25% of plan participants are literate only in the same non-English foreign language.	Each participant covered under the plan and each beneficiary receiving benefits under a DC plan. Includes participants who terminated employment with the employer during or after the end of the reporting year	9/30/2011 or two months after Form 5500 is due, if later	Specified format described in DOL Reg. 2510.104b-10. See also Appendix to DOL Reg. 2510.104-46 for enhanced model notice SAR disclosures for small DC plans (fewer than 100 participants) that do not attach an independent accountant's report.	ERISA Sec. 104(b)(3), DOL Reg. 2520.104b-1, DOL Reg. 2520.104b-10, DOL Reg. 2520.104-46(b)

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Method of Delivery	Any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Includes hand delivery and first-class mail. Sending by second- or third-class mail or use of a special insert in an employee newsletter or other periodical is also acceptable if certain other requirements are met. Electronic distribution is permitted if the requirements of DOL Reg. 2520.104b-1(c) are satisfied.			
	Who Must File or Disclose	Plan administrators of DC plans and welfare benefit plans that file Form 5500. DB plans covered by Title IV of ERISA are exempt from the SAR requirement.			
Summary Description of Material Modification of Plan (SMM) (DB/DC/HW)	Description of any material modification to the plan in 2010 and any change in the information required to be included in the SPD.	Automatically and upon request to each plan participant and to each beneficiary receiving benefits under a pension plan. DOL upon request. Participants and beneficiaries may choose to request the SMM from the DOL, which will then make the request to the plan administrator on their behalf.	7/29/2011	No specified format	ERISA Sec. 104(a)(6), DOL Reg. 2520.104a-8, DOL Reg. 2520.104b-1, DOL Reg. 2520.104b-3
	Method of Delivery	Any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Includes hand delivery and first-class mail. Sending by second- or third-class mail or use of a special insert in an employee newsletter or other periodical is also acceptable if certain other requirements are met. Electronic distribution is permitted if the requirements of DOL Reg. 2520.104b-1(c) are satisfied. By certified mail to DOL			
	Who Must File or Disclose	Plan administrators of employee pension and welfare benefit plans. Top-hat plans using the alternative to the annual reporting method are exempt.			
Summary Plan Description (SPD) (DB/DC/HW)	Summary of plan provisions, identification of funding media and summary of rights. The SPD must be written in a manner calculated to be understood by the average plan participant and must be sufficiently comprehensive to apprise the plan's participants and beneficiaries of their rights and obligations under the plan. Certain foreign language rules apply to large plans in which the lesser of 500 or 10% or more of all participants are literate only in the same non-English foreign language, and to small plans that cover fewer than 100 participants at the beginning of the plan year in which 25% or more of all plan participants are literate only in the same non-English foreign language. The SPD (including related summaries of material modifications (or SMMs)) must accurately reflect the plan as of no more than 120 days prior to the SPD's release. The SPD must be updated every 5 years if changes are made to SPD information or plan is amended; 10 years in any event.	Automatically and upon request to each participant covered under the plan and to each beneficiary receiving benefits under a pension plan. DOL upon request. Participants and beneficiaries may request the SPD directly from the DOL, which will then make the request for them.	New plans — automatically within 120 days after effective date or date of adoption of plan, whichever is later; new participants — automatically within 90 days of eligibility; covered participants and beneficiaries — within 30 days of request; DOL — within 30 days of request	No specified format	ERISA Sec. 102, ERISA Sec. 104(a)(6), ERISA Sec. 104(b)(1), (2) and (4), ERISA Sec. 104(c), DOL Reg. 2520.102, DOL Reg. 2520.104a-8, DOL Reg. 2520.104b-1, DOL Reg. 2520.104b-2

Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Method of Delivery	Any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Includes hand delivery and first-class mail. Sending by second- or third-class mail or use of a special insert in an employee newsletter or other periodical is also acceptable if certain other requirements are met. Electronic distribution is permitted if the requirements of DOL Reg. 2520.104b-1(c) are satisfied. By certified mail to DOL			
	Who Must File or Disclose	Plan administrators of employee pension (DB and DC) and welfare benefit plans. Top-hat plans using the alternative annual reporting method are exempt.			
Periodic Benefit Statements (DC)	Individual benefit statement showing the value of each investment to which the participant's or beneficiary's account assets are allocated (determined as of the most recent valuation date under the plan), including the value of any assets held in employer securities (without regard to whether such securities were acquired by the individual or contributed by the employer). Quarterly statements must also include an explanation of any limitations or restrictions on the participant's (or beneficiary's) right to direct an investment; an explanation of the importance of a well-balanced and diversified investment portfolio, including a statement of the risk that holding more than 20% of a portfolio in the security of one entity (such as employer securities) may not achieve adequate diversification; and a notice directing the participant or beneficiary to DOL's website for additional information on individual investing and diversification.	Automatically to plan participants and beneficiaries and upon written request from same	At least once each calendar-year quarter to participants and beneficiaries who have the right to direct investments, and annually to those who do not. The statement must be provided within 45 days of the end of the calendar quarter. The deadline for furnishing benefit statements under DC plans that do not provide for directed investments is the filing date of the Form 5500 for the plan year to which the statement relates. (DOL FAB 2007-3). When furnished upon request, disclosure once every 12 months	The Pension Protection Act (PPA) of 2006 directs the DOL to issue a model statement. DOL FAB 2006-3 provides model statement of investment principles for plans with participant-directed accounts.	ERISA Sec. 105, ERISA Sec. 209, DOL FABs 2006-3 and 2007-3
	Method of Delivery	By written document to last known address or through an electronic medium (e.g., e-mail, website). There are two methods by which a plan may provide an electronic statement. The consumer consent method (described in IRS Reg. 1.401(a)-21) requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of individual account (DC) plans			
Periodic Benefit Statements (DB)	Individual statement of accrued and vested pension amounts (or the earliest date on which benefits will become vested) and an explanation of any permitted disparity or floor offset arrangement applied in determining the participant's accrued benefit	Vested participants who are employed by the employer when the statement is furnished, and to other plan participants and beneficiaries on written request	DB plans generally are required to furnish participants a pension benefit statement at least once every 3 years. The first pension benefit statement is due for the 2009 plan year, provided the plan does not elect to comply with the alternative notice provision. The plan may satisfy the alternative notice requirement for DB plans if the administrator provides notice of the availability of the pension benefit statement and how to obtain it at least once a year, and furnishes the required notification by Dec. 31 of each calendar year.	The PPA directs the DOL to issue a model statement.	ERISA Sec. 105, ERISA Sec. 209, DOL FAB 2006-3

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	Method of Delivery	By written document to last known address or through an electronic medium (e.g., e-mail, website). There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DB plans			
401(k)/(m) Safe Harbor Notice (DC)	Notice of eligible employee's rights and obligations under a 401(k) safe harbor plan. The notice must be sufficiently accurate and comprehensive to apprise employees of their rights and obligations under the plan, and written in a manner calculated to be understood by the average eligible plan participant. Content prescribed in IRS Reg. 1.401(k)-3(d). For plan years beginning after 12/31/2006, a safe harbor notice must include a description of the plan's withdrawal and vesting provisions applicable to contributions under the plan. Merely cross-referencing the relevant portions of an SPD is not sufficient. A plan satisfies the notice requirement for the 401(m) matching contribution safe harbor if it provides the 401(k) safe harbor notice.	Eligible employees	At least 30 days and no more than 90 days before the beginning of each plan year. If an employee becomes eligible after the 90th day before the beginning of the plan year, no more than 90 days before his/her eligibility date and no later than the eligibility date. Notices delivered outside of the 90-/30-day window may satisfy the notice requirement if given within a reasonable period of time before the beginning of the plan year (or the date the employee becomes eligible) based on all facts and circumstances.	No form prescribed	IRC Sec. 401(k)(12)(D), IRS Sec. 401(k)(13)(E)(ii), IRS Reg. 1.401(k)-3(d), IRS Reg. 1.401(m)-3(e); IRS Reg. 1.401(a)-21
	Method of Delivery	By written document or through an electronic medium (e.g., e-mail, website or automated telephone system) reasonably accessible to the distributee. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of plans intending to satisfy the IRC Section 401(k)(12) or IRC Section 401(m)(11) design-based safe harbor methods for satisfying the annual ADP and ACP nondiscrimination tests			
Notice of Automatic Contribution Arrangement (DC)	Notice of the participant's rights and obligations under a plan's eligible automatic contribution arrangement. Such rights must include the participant's right not to have elective contributions made on his/her behalf, to elect to have such contributions made at a different percentage and to elect out of the arrangement before the first elective contribution is made. The notice must also provide an explanation of how the contributions will be invested in the absence of any investment election by the participant.	Each participant to whom the arrangement will apply in the upcoming plan year	At least 30 days and no more than 90 days before the beginning of each plan year. If an employee becomes eligible after the 90th day before the beginning of the plan year, no more than 90 days before the employee becomes eligible. If it is not practical to give advance notice (e.g., because the employee is eligible immediately upon hire), notice may be given before the first paydate for the payroll period that includes the employee's eligibility date. Notice of an automatic contribution arrangement may be combined with notice of a plan's Qualified Default Investment Alternative (QDIA).	Sample notice available. The sample notice is for a hypothetical qualified automatic contribution arrangement that permits eligible automatic contribution arrangement withdrawals and has certain other characteristics. A plan administrator will have to modify the sample notice to the extent a plan's form and operations differ from the hypothetical plan.	ERISA Sec. 514(e)(3), FAB 2008-3; IRC 401(k)(13)(E), IRC 414(w)(4)

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Method of Delivery	By written document to last known address or through an electronic medium (e.g., e-mail, website). There are two methods by which a plan may provide an electronic statement. The consumer consent method (described in IRS Reg. 1.401(a)-21) requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of automatic contribution arrangement under DC plans			
Notice of Qualified Default Investment Alternative (QDIA) (DC)	Initial notice must include a description of the circumstances under which assets may be invested on behalf of the participant or beneficiary in a QDIA; an explanation of participants' or beneficiaries' rights to direct the investment of assets in their individual accounts; and a description of participants' and beneficiaries' right to direct the investment of assets in a QDIA to any other investment alternative under the plan. Initial notice must also include a description of any applicable restrictions, fees or expenses in connection with the transfer; and an explanation of where participants and beneficiaries may obtain information about alternative investments. Annual notice must contain explanation of participants' or beneficiaries' rights under the plan to designate how to invest contributions and earnings, and how contributions and earnings will be invested if the participant or beneficiary makes no such election.	Participants, alternate payees and beneficiaries of deceased participants who are eligible to make investment elections under the plan	Initial notice — at least 30 days in advance of (A) the date of plan eligibility, or any first investment in a QDIA on behalf of the participant or beneficiary; or (B) on or before the date of plan eligibility, provided the participant has the opportunity to make a permissible withdrawal under an automatic contribution arrangement. Annual notice — at least 30 days before the beginning of the plan year	Sample notice is available.	ERISA Sec. 404(c)(5), Reg. Sec. 2550.404c-5(c)(3), FAB 2008-3
	Method of Delivery	By written document to last known address or through an electronic medium (e.g., e-mail, website). There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DC plans that elect coverage under ERISA Section 404(c), which limits a plan fiduciary's liability with respect to participant-directed investments			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
Notice of Rights Concerning Employer Securities (DC)	Notice of right to diversify investments in employer stock, statement of the importance of diversifying retirement account assets and plan contact information	Participants, alternate payees and beneficiaries of deceased participants with an interest in elective deferrals and/or employee contributions (after-tax or rollover) under the plan. Also, participants (and their alternate payees) who have completed at least 3 years of service, and beneficiaries of deceased participants who have an interest in other employer contributions under the plan.	Not later than 30 days before the first date on which the individuals are eligible to exercise their diversification rights	Model Notice in IRS Notice 2006-107	ERISA 101(m), IRS Notice 2006-107
	Method of Delivery	Written, electronic or other appropriate form to the extent such form is reasonably accessible to the recipient			
	Who Must File or Disclose	Plan administrators of DC plans holding publicly traded employer securities. Stand-alone employee stock ownership plans (ESOPs) that are not subject to IRS Section 401(k) or (m) are exempt.			
Rollover Notice (DB/DC)	Notice of the right to elect a direct rollover and that automatic distribution by direct rollover applies to certain distributions; the required withholding of tax on eligible rollover distributions not rolled over; the differences between rollover contributions to traditional IRAs and qualified rollover contributions to Roth IRAs; the taxpayer eligibility (modified gross income and tax filing status) requirements that apply to qualified rollover contributions to Roth IRAs; and the related tax and withholding consequences of each, as well as certain other tax rules	Participants, alternate payees and beneficiaries who are eligible to receive distributions that are eligible rollover distributions	At least 30 and no more than 180 days before distribution is made. However, the distributee may waive the 30-day period provided the plan administrator clearly informs the distributee of his/her right to consider whether or not to elect a direct rollover for at least 30 days. Alternatively, distribute notice more than 180 days before distribution (e.g., in SPD) and provide distributee with summary notice during the 180-/30-day period (subject to the rules for the distributee's waiver of the 30-day period). A summary notice must set forth the principal provisions of the Section 402(f) notice, must refer the distributee to the most recent version of the Section 402(f) notice, and must advise the distributee that, upon request, a copy of the Section 402(f) notice will be provided without charge.	Model notices in IRS Notice 2009-68 for (1) Section 401(k) plans with Roth accounts and (2) all other plans. Section 401(k) plans with Roth accounts may satisfy 402(f) by distributing both model notices in Notice 2009-68 to recipients of eligible rollover distributions in Roth accounts.	IRC Sec. 402(f), IRS Reg. 1.402(f)-1, Notice 2009-68, IRC Sec. 1.408-6, IRS Reg. 1.401(a)-21
	Method of Delivery	By written document to last known address or through an electronic medium (e.g., e-mail, website). There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DB and DC plans, 403(b) tax-sheltered annuities and governmental 457 plans			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
Explanation of Qualified Preretirement Survivor Benefit (DB/ Certain DC)	A general explanation of the qualified preretirement survivor annuity (QPSA), the circumstances under which it would be paid, the availability of the election of the QPSA and a description of the financial effect of electing the QPSA on the participant's benefit (i.e., an estimate of the reduction to the participant's estimated normal retirement benefit)	Participants with vested accrued benefits or account balances	During the period from the beginning of the plan year in which the employee attains age 32 to the end of the plan year in which the employee reaches age 34. Special rules apply for participants who commence participation after 32 or who separate from service prior to 35.	Sample language in IRS Notice 97-10. No form prescribed for disclosing financial effect of QPSA	ERISA Sec. 205(c), IRC Sec. 417(a)(3), IRS Reg. 1.417(a)(3)-1, IRS Reg. 1.401(a)-20, IRS Reg. 1.401(a)-21
	Method of Delivery	Personal delivery, first-class mail or electronically by such time as to reasonably ensure receipt within the applicable time period. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DB and DC plans. Profit-sharing plans, Section 401(k) profit-sharing plans and stock bonus plans (including ESOPs) that do not pay annuities and pay 100% of the vested account balance to the surviving spouse are exempt from QPSA requirements.			
Explanation of Qualified Joint and Survivor Annuity (QJSA), Financial Effect and Relative Values of Optional Forms of Payment (DB/Certain DC)	Terms and conditions of joint and survivor annuity, right to waive, right to revoke waiver, spousal consent conditions, financial effect and relative values of optional forms of payment	Participants with vested accrued benefits or account balances	No less than 30 days and no more than 180 days before the annuity starting date. Alternatively, no less than 7 days before distribution date if conditions set forth in IRS Reg. 1.417(e)-1 are satisfied. The QJSA notice must be provided before the annuity starting date, except that a DB plan may provide for a retroactive annuity starting date in accordance with IRS Reg. 1.417(e)-1.	Sample language in IRS Notice 97-10. The sample language has not been updated for disclosure of financial effect and relative values of optional forms of benefit.	ERISA Sec. 205(c), IRC Sec. 417(a), IRS Reg. 1.417(a)(3)-1, IRS Reg. 1.401(a)-20, IRS Reg. 1.417(e)-1, IRS Reg. 1.401(a)-21
	Method of Delivery	Personal delivery, first-class mail, or electronically by such time as to reasonably ensure receipt within the applicable time period. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DB and DC plans. Profit-sharing plans, Section 401(k) profit-sharing plans and stock bonus plans (including ESOPs) that do not pay annuities and pay 100% of the vested account balance to the surviving spouse are exempt from QJSA and relative value disclosures.			
Individual Deferred Vested Pension Statement (DB/DC)	Amount of deferred vested benefit, and notice of any benefits that are forfeitable if the participant dies before a certain date	Deferred vested terminated participants	Generally the due date including extensions for the annual report for the year following the year of employment termination	No form prescribed	ERISA Sec. 105(c), IRC Sec. 6057, IRS Reg. 301.6057-1
	Method of Delivery	Regulations provide that the statement is to be delivered to the participant or forwarded to the participant's last known address. Electronically if the safe harbor conditions of DOL Reg. 2520.104b-1(c)(1) or IRS Reg. 1.401(a)-21 are satisfied			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Who Must File or Disclose	Plan administrators of employee pension (DB and DC) plans			
Notice of Receipt of Domestic Relations Order (DB/DC)	Notification of receipt of domestic relations order and the plan procedures for determining the qualified status of the order. Notification is also required when the qualified status of the order is determined.	The participant and alternate payee(s)	Participants and alternate payee(s) are to be notified promptly upon receipt of the domestic relations order (including the plan's procedures for determining the qualified status of the order). Notice of the determination of the order's qualified status must be given within a reasonable period after the order is received.	No form prescribed	ERISA Sec. 206(d)(3), IRC Sec. 414(p)(6)(A)
	Method of Delivery	By mail to the address included in the domestic relations order			
	Who Must File or Disclose	Plan administrators of DB and DC plans			
Notice of Suspension of Benefits (DC)	Explanation of why benefit payments are being suspended upon reemployment or continued employment after reaching normal retirement age, description of plan provisions relating to suspension of payment, and claims procedure for affording a review of the suspension of benefits. Content prescribed by regulations.	Participants who commenced receiving benefit payments that are suspended because of reemployment or whose benefit payments are suspended because of continued employment after normal retirement age	During first calendar month or payroll period in which the plan suspends benefits on account of reemployment or continued employment beyond normal retirement age	No form prescribed	DOL Reg. 2530.203-3
	Method of Delivery	Personal delivery or first-class mail. Electronic distribution is permitted if the requirements of DOL Reg. 2520.104b-1(c) are satisfied.			
	Who Must File or Disclose	Plan administrators of DB pension plans that provide for suspension of benefits			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
Notice of Significant Reduction in Rate of Future Benefit Accrual (DB)	Notice of plan amendment providing for a significant reduction in the rate of future benefit accruals (including a plan freeze), or the elimination or significant reduction in an early retirement benefit or retirement-type subsidy. If a plan amendment offers a choice between a new benefit formula and an old benefit formula, the notice must provide information sufficient to enable an informed choice. The notice must be written in a manner calculated to be understood by the average plan participant and must provide sufficient information to allow recipients to understand the magnitude of the reduction. Notice under ERISA Section 101(j) for amendments restricting benefits in accordance with IRC Section 436 will satisfy both the timing and content requirements for a Section 204(h) notice to plan participants.	Participants whose rate of future benefit accrual is reasonably expected to be significantly reduced by the amendment. Also, alternate payees under a Qualified Domestic Relations Order	Generally, at least 45 days before the effective date of the plan amendment. The 45-day advance notice period is shortened to 15 days for amendments adopted in connection with business mergers and acquisitions, and for amendments of small plans. If an amendment is adopted in connection with a merger or acquisition involving plan transfers or mergers, and the amendment affects only an early retirement benefit or retirement-type subsidy (but does not reduce the rate of future benefit accrual), notice must be provided no later than 30 days after the effective date of the amendment. If a plan amendment offers a choice between a new benefit formula and an old benefit formula, the general timing rules apply, except that additional information sufficient to enable an informed choice must be provided within a period that is reasonably contemporaneous with the date by which an individual is required to choose.	No form prescribed	ERISA Sec. 204(h), IRC 4980F, IRS Reg. 54. 4980F-1, IRS Notice 2007-6 (relating to cash balance plans)
	Method of Delivery	Measures that result in actual receipt or measures reasonably calculated to ensure actual receipt, including first-class mail or hand delivery. Electronic methods (other than oral communications or recordings of oral communications) are acceptable if certain conditions are satisfied. The 204(h) notice may be enclosed with or combined with other notice(s) provided by the employer or the plan administrator. Notice is deemed to be provided on a date if it has been provided by the end of that date. When notice is delivered by first-class mail, the notice is considered provided as of the U.S. postmark date. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators of DB, money purchase and target benefit plans			
Notice of Right to Defer a Distribution and Notice of Consequences of Failing to Defer (DB/DC)	The amount payable under the normal form upon immediate commencement and at the later of age 62 or normal retirement age without regard to marital status (provided the benefit is available without regard to marital status). Also, an explanation of any plan provisions (and provisions of any health or accident plan maintained by the employer) that could reasonably be expected to materially affect a participant's decision whether to defer receipt of the distribution and a description of specified federal tax implications of failing to defer	Participants with vested accrued benefits who are younger than the later of age 62 or the plan's normal retirement age on the annuity starting date	No less than 30 days and no more than 180 days before the annuity starting date	No prescribed form. The required information regarding the consequences of failing to defer receipt of a distribution must appear together (e.g., in a list of consequences of failing to defer). Alternatively, a cross-reference to where the required information may be found in notices or other information provided or made available to the participant; a statement of how the referenced information may be obtained without charge; and an explanation of why the referenced information is relevant to a decision whether to defer	ERISA Sec. 203(e), IRC Sec. 411(a)(11), Prop. Reg. 1.411(a)–11, IRS Reg. 1.401(a)-21

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	Method of Delivery	Personal delivery, first-class mail or electronically by such time as to reasonably ensure receipt within the applicable time period. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper, and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Plan administrators			
Notice of Substantial Cessation of Operations at a Facility (DB)	Information regarding the cessation of operations at a facility in any location and its effect on the plan. Required only when more than 20% of active employee participants under a plan are separated from employment as a result of the cessation of operations	PBGC	Within 60 days after cessation of operations	Proposed form	ERISA Sec. 4062(e); Prop. Reg. 4062.1
	Method of Delivery	By mail, hand delivery, commercial delivery service or electronic filing (e.g., e-mail or fax). Timely mailing is treated as timely filing, as evidenced by (1) a legible U.S. Postal Service postmark, or (2) timely deposit with a commercial delivery service, or (3) the date on which the information is transmitted electronically to the PBGC, provided there is no reason to believe the information was not delivered.			
	Who Must File or Disclose	Plan administrators of DB pension plans			
Notice of Failure to Meet Minimum Funding Standards (DB/DC)	Notice of failure to make an installment payment to meet the minimum funding standard within 60 days following the due date for such payment, or the minimum funding residual payment by its due date	Participants, beneficiaries and alternate payees under Qualified Domestic Relations Orders	Notice to be made within a reasonable period of time after the failure and in such manner as DOL may prescribe. Notice is not required if a funding waiver is requested in a timely manner; if waiver is denied, notice must be provided within 60 days after the denial.	No form prescribed	ERISA Sec. 101(d)
	Method of Delivery	No methods prescribed			
	Who Must File or Disclose	The sponsor of a single-employer DB or money purchase pension plan that fails to make a minimum funding installment payment within 60 days following the due date, or the minimum funding residual payment by its due date			
Notice of Funding-Based Limitation on Plan Distributions (DB)	Written notice of (1) funding-based distribution limitations on shutdown benefits and other unpredictable contingent-event benefits, (2) funding-based limitations on accelerated benefit distributions, and/or (3) limitation on benefit accruals for plans with severe funding shortfalls. The notice required under ERISA Section 101(j) for plan amendments restricting benefits in accordance with IRC Section 436 will satisfy both the timing and content requirements for a Section 204(h) notice.	Plan participants and beneficiaries	Within 30 days after the plan becomes subject to (1) funding-based distribution limitations on shutdown benefits and other unpredictable contingent-event benefits and/or (2) funding-based limitations on accelerated benefit distributions. Within 30 days after the valuation date for the plan year for which the plan's funding target attainment percentage is less than 60%	No form prescribed	ERISA Sec. 101(j)
	Method of Delivery	Written, electronic or other appropriate form to the extent such form is reasonably accessible to persons to whom the notice is required to be provided			
	Who Must File or Disclose	Plan administrator of DB plan subject to applicable restrictions			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
Notice of Transfer of Excess Pension Assets to Health Benefits Accounts (DB)	Plan and financial information concerning transfer of excess DB pension assets to retiree health benefit accounts	Plan administrator provides notice to participants and beneficiaries of plan transferring assets. Sponsor of transferring pension plan provides notice to DOL, plan administrator and employee organizations representing plan participants.	No later than 60 days before date of transfer. The employer notice also must be available for inspection at the principal office of the administrator.	No form prescribed	ERISA Sec. 101(e), ERISA Tech Rel. 91-1
	Method of Delivery	Notice to DOL by mail, hand delivery or commercial delivery service. Notice to other parties by any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Electronic distribution to participants and beneficiaries is permitted if the requirements of DOL Reg. 2520.104b-1(c) are met.			
	Who Must File or Disclose	Plan administrators of DB pension plans that intend to transfer excess DB pension assets to retiree health benefit accounts			
Notice of Determination Letter Request (DB/DC)	Relevant information concerning plan requesting determination letter and rights to comment on plan	Generally, all current employees eligible to participate in plan and collective bargaining representatives of present employees. In a terminating plan, present employees with accrued benefits, former employees with vested benefits and beneficiaries of deceased former employees currently receiving benefits	Not less than 10 days nor more than 24 days prior to the date the application for a determination is made	Sample notice in Rev. Proc. 2011-6	IRC Sec. 7476, IRS Reg. 1.7476-1, IRS Reg. 1.7476-2, IRS Reg. 601.201(o)

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Method of Delivery	Any method or combination of methods reasonably calculated to ensure that each interested party is notified of the application for a determination, including by mail, hand delivery or posting. Delivery through an electronic medium (e.g., e-mail, website or automated telephone system) reasonably accessible to the distributee is acceptable. There are two methods by which a plan may provide an electronic notice. The consumer consent method requires consent to electronic delivery in lieu of paper and disclosures that outline the scope of the consent, the right to withdraw consent, and other terms and conditions, including hardware and software requirements. The alternative method requires that the recipient be effectively able to access the electronic medium used to provide the notice (e.g., employer website). In addition, the recipient must be advised of the right to request a paper notice at no charge.			
	Who Must File or Disclose	Used by plan sponsors of DB and DC plans to request an advance determination of a plan's qualified status under IRC Section 410(a). Governmental plans are exempt from the notice requirement.			
Notice of Request for Waiver of Minimum Funding Standards (DB/Certain DC)	Notice of filing of application of waiver and extent to which plan is funded for benefits that are guaranteed by the PBGC (i.e., statement of present value of vested benefits; present value of benefits, calculated as though the plan terminated; and fair market value of plan assets)	Participants, beneficiaries of deceased participants, alternate payees and employee organizations representing employees covered by the application	Within 14 days prior to the date of application	Model notice in IRS Rev. Proc. 2004-15	ERISA Sec. 303(e), IRC Sec. 412(f)(4), Rev. Proc. 94-41
	Method of Delivery	By mail or hand delivery to last known address, or electronically			
	Who Must File or Disclose	The sponsor of a pension (DB, money purchase or target benefit) plan that intends to apply for a variance from the minimum funding standard			
Notice of Substantial Employer Status (Multiple Employer Plans) (DB)	Notification of substantial employer status	Substantial employers. An employer is a substantial employer if its required contributions to the plan for each plan year constituting either (a) one of the two immediately preceding plan years, or (b) the first two of the three immediately preceding plan years, totaled 10% or more of the plan's required contributions.	Within 6 months after the close of each plan year	No form prescribed	ERISA Sec. 4066
	Method of Delivery	By mail, hand delivery, commercial delivery service or electronic filing (e.g., e-mail or fax)			
	Who Must File or Disclose	Plan administrators of DB pension plans if at least two contributing sponsors are not under common control			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
Investment Blackout Notice (DC)	Advance notice of any blackout period during which the ability of participants and beneficiaries to direct or diversify assets credited to their accounts or to obtain plan loans or distributions will be temporarily restricted. In addition to the reasons for the blackout period and a description of the participants' and beneficiaries' rights otherwise available under the plan during the blackout period, the notice must indicate the expected duration of the blackout period by reference to: (1) the expected beginning and ending date of the blackout period, or (2) the calendar week during which the blackout period is expected to begin and end, provided that during such weeks information as to whether the blackout period has begun or ended is readily available, without charge, to affected participants and beneficiaries, and the notice describes how to access such information.	All participants and beneficiaries whose rights under the plan will be temporarily restricted, and issuers of employer securities subject to the blackout period	Not more than 60 days and not less than 30 days before commencement of the blackout period. The 30-day advance notice requirement does not apply when (1) deferring the blackout period for 30 days after giving the notice would result in a violation of ERISA's fiduciary standards (e.g., if the plan fiduciary immediately suspends investment in employer stock because the employer has filed for bankruptcy); (2) when the events causing the blackout were unforeseeable or beyond the control of the plan administrator, and a plan fiduciary reasonably so determines in writing; or (3) when the blackout is a result of a merger, acquisition, divestiture or similar transaction.	Model Notice in DOL Reg. 2520.101-3(e)	ERISA Sec. 101(i), DOL Reg. 2520.101-3
	Method of Delivery	Any method reasonably calculated to ensure actual receipt and likely to result in full distribution. Includes hand delivery and first-class mail. Sending by second- or third-class mail or use of a special insert in an employee newsletter or other periodical is also acceptable if certain other requirements are met. Electronic distribution is permitted if the requirements of DOL Reg. 2520.104b-1(c) are satisfied.			
	Who Must File or Disclose	Plan administrators of DC plans			
Notice of Intent to Terminate (DB)	Written notice of intent to terminate, the proposed termination date, a statement concerning the cessation of accruals under the plan and other information. In a standard termination, additional information concerning insurer identification, the legal effect of the termination and state guaranty coverage information	Affected parties, i.e., participants, beneficiaries of deceased participants, alternate payees under Qualified Domestic Relations Orders, current employee organizations and, for any group of employees not currently represented by an employee organization, the employee organization, if any, that last represented the group within the 5-year period preceding issuance of the Notice of Intent to Terminate (NOIT) and, in a distress termination, the PBGC	At least 60 days and no more than 90 days before the proposed termination date. Notice of insurer selection may be provided in a supplemental notice no later than 45 days before the date of distribution.	Model notices in PBGC standard termination package (PBGC Form 500 and instructions) and PBGC distress termination package (PBGC Form 600)	ERISA Sec. 4041(a), PBGC Reg. 4041.23, PBGC Reg. 4041.27, PBGC Reg. 4041.43
	Method of Delivery	By hand delivery, first-class mail or commercial delivery service to the affected party's last known address, or by electronic means (e.g., e-mail) if the safe harbor conditions of PBGC Reg. 4000.14 are met. The notice is deemed issued to an affected party on the date on which it is (1) handed to the affected party, (2) deposited in the mail, (3) deposited with a commercial delivery service or (4) transmitted electronically to the affected party, provided there is no reason to believe the notice was not delivered.			

Item	Description	Recipient	Due Date	Forms	Law/Regulation
	Who Must File or Disclose	Plan administrators of DB pension plans subject to the plan termination insurance provisions of ERISA			
Notice of Commencement of Coverage Under COBRA Health Care Continuation (HW)	Notice of group health continuation coverage rights under COBRA. The updated model General Notice includes updated information on the premium reduction as well as information required in a COBRA election notice.	Generally, covered employees and covered spouses. If the employee and the spouse become covered at different times (e.g., the covered employee marries), a separate initial notice must be provided to the covered spouse, generally within 90 days after the coverage begins. Plans must provide the updated General Notice to all qualified beneficiaries (not just covered employees) who experienced a qualifying event between 9/1/2008 and 2/28/2010, regardless of the type of qualifying event, and who have not yet been provided an election notice. If an individual receives a Premium Assistance Extension Notice on a timely basis, he/she need not be provided an updated General Notice as well.	Within 90 days after commencement of coverage under a group health plan. An SPD containing initial COBRA Notice satisfies the requirement if it is delivered within the 90-day period.	Updated Model General Notice of COBRA Continuation Coverage Rights. The DOL has made the model notice available in modifiable, electronic form on its website: www.dol.gov/COBRA.	ERISA Sec. 606, IRC Sec. 4980B(f)(6), DOL Reg. 2590.606-1, 75 Fed. Reg. 2562 (1/15/2010)
	Method of Delivery	An initial or updated COBRA Notice is considered to be furnished by a plan administrator as of the date of mailing, if mailed by first-class mail, certified mail or express mail, or as of the date of electronic transmission, if transmitted electronically. Electronic transmission is permitted if the requirements of DOL Reg. 2520.104b-1(c) are met.			
	Who Must File or Disclose	Plan administrators of group health plans covering more than 20 employees during the prior calendar year. Does not apply to certain church-related organizations			

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Item	Description	Recipient	Due Date	Forms	Law/Regulation
Notice of Qualifying Event Under COBRA (HW)	After an employee's death, termination of employment, reduction of hours, or Medicare entitlement, or the employer filing bankruptcy, the employer must notify the plan administrator of the qualifying event. The administrator must then notify the qualified beneficiary of the right to COBRA continued coverage.	Covered employee, plan administrator or qualified beneficiary as necessary	Employers must notify the plan administrator generally within 30 days of the event. (The time period varies depending on the type of qualifying event.) The administrator must notify the qualified beneficiary generally within 14 days of receipt of notification from the employer or qualified beneficiary of the qualifying event. If the employer is the plan administrator, notice to the qualified beneficiary must be provided not later than 44 days after the date of the qualifying event or, if a plan provides that COBRA coverage commences on the date of loss of coverage, not later than 44 days after the date on which coverage was lost due to a disqualifying event.		ERISA Sec. 606, IRC Sec. 4980B(f)(6), DOL Reg. 2590.606-2, -3 and -4
	Method of Delivery	First-class, certified or express mail to last known address. Also through electronic media if the requirements of DOL Reg. 2520.104b-1(c) are met. Timely sending is treated as timely issuance.			
	Who Must File or Disclose	Plan administrators of group health plans covering more than 20 employees during the prior calendar year. Does not include certain church-related organizations			
Notice of Women's Health and Cancer Rights Act of 1998 (HW)	Notice of benefits required under the Women's Health and Cancer Rights Act	Participants and beneficiaries	Upon enrollment and at least annually thereafter	No form prescribed	ERISA Sec. 713
	Method of Delivery	Notice must be in writing and prominently displayed in any literature or correspondence made available or distributed by the plan.			
	Who Must File or Disclose	Plan administrators of group health plans covering 2 or more employees on the first day of the plan year			
SPD Notice of Newborns' and Mothers' Health Protection Act (HW)	Statement of rights under the Newborns' and Mothers' Health Protection Act	Participants and beneficiaries, DOL upon request	Provide in SPD or SMM	Model statement in DOL Reg. Sec. 2520.102-3(u)	ERISA Sec. 711(d), ERISA Reg. 2590.711(d)
	Method of Delivery	Include in plan's SPD or SMM			
	Who Must File or Disclose	Plan administrators of group health plans covering 2 or more employees on the first day of the plan year			

Summary of Benefit Plan-Related Filing Forms

Form	Description
PBGC Form 1	Pension Benefit Guaranty Corporation Annual Premium Payment
PBGC Form 1-ES	Estimated Premium Payment
PBGC Form 10-Advance	Advance Notice of Reportable Events
PBGC Form 500	Standard Termination Notice Single-Employer Plan Termination
PBGC Form 600	Distress Termination Notice of Intent to Terminate
PBGC Form 602	Distress Termination Post-Distribution Certification
SEC Form 11-K	Annual Report of Employee Stock Purchase, Savings or Similar Plans
W-2	Wage and Tax Statement
W-4P	Withholding Certificate for Pension or Annuity Payments
941	Employer's Quarterly Federal Tax Return
945-A	Annual Record of Federal Tax Liability
1024	Application for Recognition of Exemption Under Section 501(a) of the Internal Revenue Code
1099-R	Statement of Recipients of Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
4461	Application for IRS Approval of Master or Prototype or Volume Submitter Defined Contribution Plan
4804	Transmittal of Information Returns Reported Magnetically/Electronically
5300	Application for IRS Determination for Employee Benefit Plan
5305-A	Traditional Individual Retirement Custodial Account Under Section 408 (a) of the Internal Revenue Code
5306	Application for IRS Approval of Prototype or Employer-Sponsored Individual Retirement Account
5308	Request for Change in Plan and/or Trust Year
5310	Application for IRS Determination Upon Termination
5329	Return for Additional Taxes Attributable to Qualified Plans (including IRAs)
5498	Individual Retirement Arrangement Information
5500-SF	Annual Return/Report of Small Employee Benefit Plan
6088	Distributable Benefits From Employee Pension Benefit Plans
8717	User Fee for Employee Plan Determination Letter Request
8955-SSA	Annual Registration Statement Identifying Separated Participants With Deferred Vested Benefits

Form	Description
PBGC Form 1-EZ	Pension Benefit Guaranty Corporation Annual Premium Payment for Single-Employer Plans Exempt From the Variable-Rate Premium
PBGC Form 10	Post-Event Notice of Reportable Events
PBGC Form 200	Notice of Failure to Make Required Contribution
PBGC Form 501	Post-Distribution Notice for Single-Employer Standard Terminations
PBGC Form 601	Distress Termination Notice for Single-Employer Plan Termination
SEC Form S-8	Registration Statement for Employee Stock Purchase, Savings or Similar Plans
SS-4	Application for Employer Identification Number
W-3	Transmittal of Wage and Tax Statement
W-4S	Request for Federal Income Tax Withholding From Sick Pay
945	Annual Return of Withheld Federal Income Tax
990	Return of Organization Exempt From Income Tax
1096	Annual Summary and Transmittal of U.S. Information Returns
4419	Application for Filing Information Returns Electronically
4461-A	Application for IRS Approval of Master or Prototype or Volume Submitter Defined Benefit Plan
4972	Tax on Lump Sum Distributions
5305	Individual Retirement Trust Account Under Section 408(a) of the Internal Revenue Code
5305-SEP	Simplified Employee Pension Plan Individual Retirement Accounts Contribution Agreement
5307	Short Form Application for IRS Determination for Adopters of Master or Prototype or Volume Submitter Plans
5309	Application for IRS Determination of Employee Stock Ownership Plan
5310-A	Notice of Merger, or Consolidation, Spin-off, or Transfer of Plan Assets or Liabilities; QSLOB Notice
5330	Return of Excise Taxes Related to Employee Benefit Plans (including failure to meet minimum funding requirements)
5500	Annual Return/Report of Employee Benefit Plan (Defined Benefit, Defined Contribution, Certain Welfare Plans and Certain Fringe Benefit Plans)
5558	Application for Extension of Time to File Certain Employee Plan Returns
6559	Transmitter Report and Summary of Magnetic Media
8718	User Fee for Exempt Organization Determination Letter Request

Calendar of Administrative Requirements for Plans With January 1 Plan Years

Month	Due Date	Plan Type	Done	Item
January	15-Jan	DB	☐	Payment of fourth quarterly contribution is due for 2010 plan year, if applicable
	31-Jan	DB/DC	☐	Form 1099-R due for distributions processed in 2010
	31-Jan	HW	☐	Form W-2 furnished to employees must include reporting for amounts received for dependent care assistance, group term life insurance, adoption assistance and HSAs in 2010
February	15-Feb	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for 4th quarter of the 2010 plan year
	28-Feb	DB/DC	☐	Paper filing of Form 1099-R due to IRS (with Form 1096). Later due date if filing electronically (generally, must file electronically if at least 250 information returns)
	28-Feb	DB	☐	2011 Estimated Premium Filing (for plans with 500 or more participants)
March	31-Mar	DB/DC	☐	Electronic filing of Form 1099-R due to IRS (generally, must file electronically if at least 250 information returns)
	31-Mar	HW	☐	First quarter mandatory Medicare Secondary Payer (MSP) reporting due to Centers for Medicare and Medicaid Services (CMS)
April	1-Apr	DB/DC	☐	Initial minimum distributions to commence for participants who have reached their required beginning date (i.e., following attainment of age 70½ or retirement, as specified in plan)
	15-Apr	DB	☐	Payment of first quarterly contribution is due for 2011 plan year, if applicable
	30-Apr (Sat)*	DB	☐	Annual Funding Notice (for plans with more than 100 participants)
	30-Apr (Sat)*	DB	☐	Notice of funding-based limitation on certain forms of distribution (101(j) Notice) due to participants and beneficiaries if the certified or deemed AFTAP is less than 80% (and Notice was not previously provided)
May	2–May	DB	☐	2010 Comprehensive Premium Filing due to PBGC (for plans with fewer than 100 participants)
	15-May (Sun)*	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for first quarter of the 2009 plan year
	16-May	HW	☐	2010 Form 990 due to IRS for Voluntary Employees' Beneficiary Associations (VEBA)
June	30-Jun	HW	☐	Second quarter mandatory MSP reporting to CMS
July	15-Jul	DB	☐	Payment of second quarterly contribution is due for the 2010 plan year, if applicable
August	1-Aug	DB/DC/HW	☐	2010 IRS Form 5500 must be filed. A 2½-month extension is available if Form 5558 is filed
	1-Aug	DB/DC	☐	Terminated vested employees reported on the 2009 and 2010 Form 8955-SSA should receive a notice describing the amount of vested benefit. This due date is extended by any Form 5500 extension
	1-Aug	DB/DC	☐	Plan audit is required if there are more than 100 participants in plan. Audit is required for plans with fewer than 100 participants if less than 95% of plan assets are considered "qualifying assets" (invested in common vehicles)
	1-Aug	DB	☐	Annual Funding Notice for 2010 plan year (for plans with 100 or fewer participants on each day of the 2010 plan year). This due date is extended by any Form 5500 extension.
	1-Aug	DC	☐	Annual Periodic Benefit Statement for non-participant-directed account plans due for 2010 plan year. This due date is extended by any Form 5500 extension.
	14-Aug (Sun)*	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for second quarter of the 2011 plan year
September	15-Sep	DB	☐	Payment of any remaining 2010 plan year contributions must be made, if applicable
	30-Sep	DC/HW	☐	2010 Summary Annual Report (SAR) due to plan participants and beneficiaries. If the plan received an extension for the Form 5500, SAR is due 2 months after the Form 5500 due date
	30-Sep	HW	☐	Third quarter mandatory MSP reporting to CMS
October	3-Oct	HW	☐	Apply for retiree prescription drug subsidy with CMS (30-day extension available)
	15-Oct (Sat)*	DB	☐	Payment of third quarterly contribution is due for the 2011 plan year, if applicable
	17-Oct	DB	☐	2011 Comprehensive Premium Filing is due to PBGC (for plans with 100 or more participants)
	17-Oct	DB/DC/HW	☐	Extended due date for 2010 Form 5500

Month	Due Date	Plan Type	Done	Item
	17-Oct	DB	☐	Extended due date for Annual Funding Notice for 2010 plan year (for plans with 100 or fewer participants on each day of the 2010 plan year)
	17-Oct	DC	☐	Extended due date for Annual Periodic Benefit Statement for non-participant-directed account plans
	30-Oct (Sun)*	DB	☐	Notice of funding-based limitation on certain forms of distribution (101(j) Notice) due to participants and beneficiaries if the certified or deemed AFTAP is less than 80% (and Notice was not previously provided).
November	14-Nov	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for the third quarter of the 2011 plan year
	15-Nov	HW	☐	Part D creditable coverage notice due to Medicare Part D-eligible individuals
December	2-Dec	DC	☐	401(k)(m) Safe Harbor Notice furnished to participants at least 30 days but no more than 90 days before the beginning of the plan year, describing their rights and obligations under the plan
	2-Dec	DC	☐	Notice of Qualified Default Investments furnished to participants within a reasonable period before the beginning of each plan year (30-90 days), describing how contributions and earnings are invested absent an investment election.
	2-Dec	DC	☐	Notice of Automatic Contribution Arrangement furnished to participants within a reasonable period before the beginning of each plan year (30-90 days) (or eligibility for enrollment for new hires), describing automatic enrollment and contributions made if the employee has not affirmatively elected otherwise
	15-Dec	DC/HW	☐	Extended due date for 2010 Summary Annual Report
	31-Dec (Sat)*	DB	☐	Annual Periodic Benefit Statement alternative notice requirement explaining the availability of a benefit statement and how to obtain
	31-Dec (Sat)*	HW	☐	Fourth quarter mandatory MSP reporting to CMS

*Indicates no policy extending the due date to the following business day if the due date falls on a weekend or holiday

Calendar of Administrative Requirements for Plans With July 1 Plan Years

Month	Due Date	Plan Type	Done	Item
January	15-Jan	DB	☐	Payment of second quarterly contribution is due for the plan year, if applicable
	31-Jan	HW	☐	Form W2 furnished to employees must include reporting for amounts received for dependent care assistance, group term life insurance, adoption assistance and HSAs in 2010
	31-Jan	DB/DC	☐	Form 1099-R due for distributions processed in 2010
	31-Jan	DB/DC/HW	☐	2009 IRS Form 5500 must be filed. A 2½-month extension is available if Form 5558 is filed
	31-Jan	DB/DC	☐	Terminated vested employees reported on the 2009 SSA should receive a notice describing the amount of vested benefit. This due date is extended by any Form 5500 extension. (The IRS has deferred reporting until 2012)
	31-Jan	DB/DC	☐	Plan audit is required if there are more than 100 plan participants. Audit is required for plans with fewer than 100 participants if less than 95% of plan assets are considered “qualifying assets” (invested in common vehicles)
	31-Jan	DC	☐	Annual Periodic Benefit Statement for non-participant-directed account plans due for 2009 plan year. This due date is extended by any Form 5500 extension
February	14-Feb	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for second quarter of the 2010 plan year
	28-Feb	DB/DC	☐	Paper filing of Form 1099-R due to IRS (with Form 1096). Later due date if filing electronically (generally must file if at least 250 information returns)
March	15-Mar	DB	☐	Payment of any remaining 2009 plan year contributions must be made, if applicable
	31-Mar	DB/DC/HW	☐	2009 Summary Annual Report (SAR) due to plan participants and beneficiaries. If the plan received an extension for the Form 5500, then the SAR is due two months after the Form 5500 due date
	31-Mar	HW	☐	First quarter mandatory Medicare Secondary Payer (MSP) reporting due to Centers for Medicare and Medicaid Services (CMS)
	31-Mar	DB/DC	☐	Electronic filing of Form 1099-R due to IRS (generally, must file electronically if at least 250 information returns)

Month	Due Date	Plan Type	Done	Item
April	1-Apr	DB/DC	☐	Initial minimum distributions to commence for participants who have reached their required beginning date (i.e., following attainment of age 70½ or retirement, as specified in plan)
	15-Apr	DB	☐	Payment of third quarterly contribution is due for the 2010 plan year, if applicable
	15-Apr	DB	☐	2010 Comprehensive Premium Filing is due to the PBGC (for plans with 100 or more participants)
	15-Apr	DB/DC/HW	☐	Extended 2009 Form 5500 is due
	15-Apr	DC	☐	Extended Annual Periodic Benefit Statement for non-participant-directed account plans due for 2009 plan year
	30-Apr (Sat)*	DB	☐	Notice of funding-based limitation on certain forms of distribution (101(j) Notice) due to participants and beneficiaries if the certified or deemed AFTAP is less than 80% (and Notice was not previously provided)
May	15-May (Sun)*	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for the third quarter of the 2009 plan year
June	1-Jun	DC	☐	401(k)/(m) Safe Harbor Notice furnished to participants at least 30 days but no more than 90 days before the beginning of the plan year, describing their rights and obligations under the plan
	1-Jun	DC	☐	Notice of Qualified Default Investments furnished to participants within a reasonable period before the beginning of each plan year (30-90 days), describing how contributions and earnings are invested absent an investment election
	1-Jun	DC	☐	Notice of Automatic Contribution Arrangement furnished to participants within a reasonable period before the beginning of each plan year (30-90 days) (or eligibility for enrollment for new hires), describing the automatic enrollment and contributions made if the employee has not affirmatively elected otherwise
	15-Jun	DB/DC/HW	☐	Extended 2009 Summary Annual Report is due
	30-Jun	DB	☐	Annual Periodic Benefit Statement alternative notice requirement explaining the availability of a benefit statement and how to obtain
	30-Jun	HW	☐	Second quarter mandatory MSP reporting to CMS
July	15-Jul	DB	☐	Payment of fourth quarterly contribution is due for 2010 plan year, if applicable
August	13-Aug	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for the fourth quarter of the 2010 plan year
	31-Aug	DB	☐	2011 Estimated Premium Filing (for plans with 500 or more participants)
September	30-Sep	HW	☐	Third quarter MSP mandatory reporting to CMS
October	1-Oct	HW	☐	Apply for retiree prescription drug subsidy with CMS (30-day extension available)
	15-Oct	DB	☐	Payment of first quarterly contribution is due for 2011 plan year, if applicable
	29-Oct	DB	☐	Annual funding notice (for plans with more than 100 participants)
November	1-Nov	DB	☐	2010 Comprehensive Premium Filing is due to the PBGC (for plans with fewer than 100 participants)
	12-Nov	DC	☐	Quarterly Periodic Benefit Statement for participant-directed account plans for the first quarter of the 2010 plan year
	12-Nov	HW	☐	Part D creditable coverage notice due to Medicare Part D-eligible individuals
	15-Nov	HW	☐	2010 Form 990 due to IRS for Voluntary Employees' Beneficiary Association (VEBA)
December	31-Dec	HW	☐	Fourth quarter mandatory MSP reporting to CMS