

## PLEASE NOTE THE FOLLOWING WHEN SUBMITTING PROGRAM FORMS

- Use **only one** of the following methods of delivery:

### **By Mail:**

ABA Retirement Funds Program  
P.O. Box 990073  
Hartford, CT 06199

### **By Overnight Delivery:**

ABA Retirement Funds Program  
One Orange Way  
Windsor, CT 06095

### **By Email: [ProgramForms@voyaplans.com](mailto:ProgramForms@voyaplans.com)**

- If you are emailing a form, **DO NOT** mail the original, or the transaction will be processed twice.
- Email only one request (in most cases just one form) at a time per a plan, per a participant. Also only one disbursement or loan request should be submitted per a business day
- Forms received in good order via email by **1 p.m. Eastern time** on a business day are considered to be received on that day. Forms received electronically after 1 p.m. Eastern time will be considered to be received on the next business day.
- Please do not "cc" any other email addresses when sending a form to the Program by email, as this causes the email to abort.
- The email should include a single document as an attachment, which does not require access to an external portal or link.
- There should be no instructions in the body of the email; the form should contain any additional instructions.
- If you are going to password-protect the form, please use only "abafunds" or "Abafunds\*1."

### **FORMS THAT CANNOT BE ACCEPTED VIA EMAIL**

- If the form is being submitted to claim the assets in a deceased participant's account, the form and a certified copy of the death certificate **must be mailed** or sent by overnight delivery.
- If spousal consent is required, and the witness is a notary, the form **must be mailed** or sent by overnight delivery so that the notary seal can be confirmed.

Forms submitted in any other manner will be considered to be received "not in good order," which may cause a delay in processing the item.

Thank you for your cooperation so that we can best service your plan.

*Note: after your email is received by the transaction processing group, you'll receive an auto reply with a "Task" confirmation number. If you do not receive an auto reply, please contact us. Plan Administrators should call **800.752.6313**. Participants should call **800.348.2272**.*



# DEATH BENEFITS CLAIM FORM

ABA Retirement Funds Program ("Program")  
P.O. Box 990073 • Hartford, CT 06199

Customer Contact Center: 800.348.2272  
Website: abaretirement.com

**Use this form to request a death claim from a full service plan. A separate form must be completed by each claimant.**

## 1. EMPLOYER/PLAN SPONSOR INFORMATION (To be completed by the Employer/Plan Sponsor)

Program Plan Number: \_\_\_\_\_ Employer Tax ID Number: \_\_\_\_\_ - \_\_\_\_\_ IRS Plan Number: \_\_\_\_\_

Employer's Name: \_\_\_\_\_ Employer's Business Phone Number: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

Employer's E-Mail Address: \_\_\_\_\_

## 2. DECEASED PARTICIPANT'S INFORMATION

Participant's Name: \_\_\_\_\_ Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Sex: ☐ M ☐ F Marital Status: ☐ Single ☐ Married

Does the deceased participant have a loan outstanding: ☐ Yes\* ☐ No \*If yes, the loan will be defaulted and reported as a taxable distribution.

At the time of death, was the deceased participant already terminated from employment with the employer/plan sponsor?

☐ Yes\*\* ☐ No

Date of Termination: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\*\* If yes, the employer/plan sponsor must provide the deceased participant's vested percentage in the employer contributions made to his or her account:

Vested Percentage \_\_\_\_\_% Unvested employer contributions will be forfeited.

## 3. BENEFICIARY/CLAIMANT INFORMATION (IF THERE ARE MULTIPLE BENEFICIARIES, ALL CLAIM FORMS SHOULD BE SUBMITTED SIMULTANEOUSLY)

Beneficiary's Name: \_\_\_\_\_

(For beneficiaries who are minors) Name of Parent or Guardian \_\_\_\_\_

*For beneficiaries who are tax-exempt organizations, a Form W-9 must be included to prevent federal income tax withholding.*

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Beneficiary's Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(Or Trust Identification Number if Claimant is a Trust)

Daytime Phone Number: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ Beneficiary's Email: \_\_\_\_\_

Beneficiary's Primary Residence: *(Applicable state and federal tax withholding will be based on this address)*

*(MAXIMUM OF 30 CHARACTERS EACH LINE)*

Address Line 1: \_\_\_\_\_

Address Line 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

*If foreign address, please confirm if you are a U.S. citizen:* ☐ Yes ☐ No

☐ Check here if the beneficiary account has already been established, and this is a new request to withdraw or roll over assets, then proceed to Section 4

Beneficiary's Relationship to the Participant: \_\_\_\_\_

**Are you an Eligible Designated Beneficiary as defined below\*?** ☐ Yes ☐ No

If the account you are claiming is already classified as a beneficiary account established from a deceased participant in the plan, note that the assets can only be payable to the beneficiary's estate.

**Note: Please attach a certified copy of the official certificate of death (bearing a raised seal or ink stamp).**

**If the beneficiary is a minor, the parent or guardian should also include a copy of the documentation attesting to the relationship (e.g., birth certificate of beneficiary showing parent's name or copy of guardian's appointment by the court)**

**\* Eligible Designated Beneficiary:**

For deaths occurring after 12/31/21, in general, a deceased Participant's account must be distributed by the 10th calendar year following the year of the Participant's death, unless the beneficiary is an Eligible Designated Beneficiary ("EDB"). An EDB is any "designated beneficiary" who meets one of the following criteria:

- (1) the Participant's spouse,
- (2) a non-spouse beneficiary who is not more than 10 years younger than the Participant,
- (3) the Participant's minor child,
- (4) a non-spouse beneficiary who is disabled, or chronically ill.

EDB status is determined at the time of the Participant's death. An EDB has the option of receiving death benefits over a life expectancy and/or over a 10-year period. If the original participant had reached their required beginning date or was in payment status at the time of death, certain non-spousal beneficiaries who are not EDB's will be required to continue receiving annual payments each year until the account is fully distributed by the end of the 10th year following the date of death.

A non-natural beneficiary (for example, an estate, trust or charity) of a participant whose death occurred after the Required Beginning Date ("RBD") must continue to receive the RMDs based on the participant's remaining life expectancy. If the deceased participant's death occurred prior to the RBD, then the entire account must be distributed by 12/31 of the year containing the 5th anniversary of the participant's death.

As the rules for death distributions to EDB's and non-EDB's differ depending on the type of beneficiary, it is recommended that you contact your tax planning advisor for additional information.

**STOP – BEFORE PROCEEDING TO the next section, BE SURE ALL Information is entered ON the previous PAGE.**

#### 4. FORM OF BENEFIT (How Much Would You Like to Withdraw or Roll Over?)

- ☐ None at this time – please establish a beneficiary account in the plan to hold the assets

*Please refer to section 6 below for information pertaining to RMDs. This option is not available if the plan sponsor has dissolved or is deceased.*

- ☐ Single Lump Sum Payment – distribute the entire account

- ☐ Partial Payment (non-Roth contribution sources) from the investment options indicated below (if no investment options are specified, the payment will be taken pro-rata from all available investment options): (Use additional page if necessary.)

INVESTMENT OPTION	\$ AMOUNT OR WHOLE % (PLEASE SHOW \$ OR % SYMBOL)	INVESTMENT OPTION	\$ AMOUNT OR WHOLE % (PLEASE SHOW \$ OR % SYMBOL)
1. _____	_____	3. _____	_____
2. _____	_____	4. _____	_____

- ☐ Withdrawal of Roth 401(k) Assets (if applicable): \$ Amount \_\_\_\_\_ or \_\_\_\_\_%

- ☐ Installments (*This option is not available for defined benefit plans, or for plans for which the plan sponsor was a self-employed individual and the plan sponsor has died. If you wish to request electronic direct deposit for your installment payments, please include a completed, signed Electronic Direct Deposit of Distributions Form.*)

Installment payments will not be established until the first business day of the month following receipt of this form, provided that the form was submitted to the Program at least six business days prior to that following month. Installment payments are made from non-Roth assets only. A separate request must be made to establish installment payments for Roth assets once the non-Roth assets have been exhausted.

Choose only one:

☐ Monthly at \$ \_\_\_\_\_

☐ Semi-annually at \$ \_\_\_\_\_

\*OR \_\_\_\_\_ number of payments (Min 36)

\*OR \_\_\_\_\_ number of payments (Min 6)

☐ Quarterly at \$ \_\_\_\_\_

☐ Annually at \$ \_\_\_\_\_

\*OR \_\_\_\_\_ number of payments (Min 12)

\*OR \_\_\_\_\_ number of payments (Min 3)

*\* Actual installment amounts may vary depending upon market fluctuation.*

#### 5. FOR PARTICIPANTS OR BENEFICIARIES WITH A PERSONAL CHOICE RETIREMENT ACCOUNT® ("PCRA") ONLY

- If the participant was not 100% vested, the PCRA must be liquidated and all assets transferred to the Base Plan.
- If the participant was 100% vested, the following options apply. You **must** check one:

- ☐ Please liquidate the PCRA and transfer the assets to the Base Plan and include those assets in this death claim. Pending your distribution from the Base Plan or a subsequent transfer of investments, the assets will be invested in the Plan's default investment option. Please note that if the Plan's default investment option is the Retirement Date suite of funds, the fund used will be based on the age of the deceased. Please refer to the Employer/Plan Sponsor for information on the Plan's default investment option.
- ☐ Please establish a PCRA in my name and have the participant's brokerage assets transferred in-kind to my PCRA. If I am requesting a rollover distribution at this time, I will contact my receiving broker at \_\_\_\_\_ (Name of brokerage firm) to arrange for an electronic Automated Customer Account Transfer (ACAT) through Charles Schwab & Co., Inc. Request must be made within 180 days of the date of the beneficiary's signature in Section 8. **If this option is not selected, an in-kind transfer cannot be accomplished.**

## 6. REQUIRED MINIMUM DISTRIBUTION TRANSFER RESTRICTION

If a Required Minimum Distribution (RMD) is necessary, the amount due will automatically be distributed less 10% federal income tax withholding, and any required state income tax withholding unless indicated otherwise.

Please note if the participant has begun taking RMDs, an RMD must be taken during the year of death. If the participant has not begun taking RMDs, then for non spousal Eligible Designated Beneficiaries, the RMD is required the year following the participant's death. For spousal beneficiaries, the RMD will start the later of the year the participant would have turned 73 or the year after the participant's death.

If an RMD is due when the Death Benefits Claim Form is submitted, then the RMD will be paid at the time the assets are transferred to the beneficiary's(ies') account(s), even if the beneficiary has elected to have the assets remain in the plan.

## 7. DIRECT ROLLOVER INSTRUCTIONS

You must review the enclosed "Special Tax Notice Regarding Plan Payments" for important tax information regarding specific requirements for 20% federal income tax withholding and eligibility for direct rollover.

**If Section 4 is not completed, the entire vested account balance will be rolled over.**

Non-spouse beneficiaries must roll over to an "inherited" IRA. Any Roth contribution sources must be rolled over to a Roth IRA (spouse beneficiaries only), inherited Roth IRA (non-spouse beneficiaries) or eligible employer plan that accepts Roth sources (spouse beneficiaries only).

Indicate name of IRA custodian or eligible employer plan for payment issuance:

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MAXIMUM OF 30 CHARACTERS (PLEASE NOTE THAT "FBO (YOUR NAME)" AUTOMATICALLY APPEARS ON THE CHECK)

Choose all that are applicable:

- ☐ Spouse beneficiary is rolling into an eligible employer plan
- ☐ Rolling over non-Roth assets to an Individual Retirement Account (IRA) and Roth assets to Roth IRA (if applicable)

**Only check the option below if you want to pay taxes on the non-Roth rollover portion to convert it to a Roth IRA**

- ☐ Rolling over non-Roth assets to Roth-IRA and Roth assets to Roth IRA (if applicable)

*Due to our restricted and confidential data policy, all checks must be mailed to the beneficiary. The check will represent a direct rollover made payable to a financial institution as you directed. Once you receive the check, you must forward the check to your financial institution along with any other personal or account information that may be required.*

## 8. SIGNATURES OF BENEFICIARY AND EMPLOYER

The beneficiary and the Authorized Plan Representative on behalf of the employer, as applicable, certify that to his or her knowledge the information provided on this form is complete and accurate. The individual receiving this payment acknowledges that he or she has received and understands the "Special Tax Notice Regarding Plan Payments" and affirmatively elects to waive the 30-day notice period required by applicable income tax regulations. If applicable, 20% withholding will be applied to the payment unless Section 7, Direct Rollover Instructions, is completed.

I understand that no payment can be made from the plan without my consent and until at least 30 days after I received the "Notice of Benefits and Benefit Payment Form." I acknowledge that I have received, read and understand the "Notice of Benefits and Benefit Payment Form." I understand that I have a right to a period of at least 30 days to review the "Notice of Benefits and Benefit Payment Form" before receiving my distribution from the plan. If 30 days have not passed between the date I receive the "Notice of Benefits and Benefit Payment Form" and the date I submit this form, I waive the 30-day waiting period.

By signing this waiver I will receive my benefit payment in the alternate form I have selected in Section 4.

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SIGNATURE OF BENEFICIARY (REQUIRED REGARDLESS OF PLAN TYPE)

DATE (REQUIRED)

SIGNATURE DATE IS ONLY EFFECTIVE FOR 180 DAYS.

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SIGNATURE OF AUTHORIZED PLAN REPRESENTATIVE ON BEHALF  
OF THE EMPLOYER (REQUIRED REGARDLESS OF PLAN TYPE)

DATE (REQUIRED)

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**DO NOT RETURN THIS PAGE OR  
ANY OF THE FOLLOWING PAGES.  
IF RETURNED, ANY PAGES  
AFTER THIS PAGE WILL NOT  
BE REVIEWED.**

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# SPECIAL TAX NOTICE REGARDING RETIREMENT SAVINGS PLAN PAYMENTS



ABA Retirement Funds Program ("Program")  
P.O. Box 990073 • Hartford, CT 06199

Customer Contact Center: 800.348.2272  
Website: [abaretirement.com](http://abaretirement.com)

## YOUR ROLLOVER OPTIONS

You are receiving this notice because all or a portion of a payment you are receiving from the Plan is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to do such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account in some employer plans that is subject to special tax rules). If you also receive a payment from a designated Roth account in the Plan, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a plan are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

## GENERAL INFORMATION ABOUT ROLLOVERS

### HOW CAN A ROLLOVER AFFECT MY TAXES?

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (generally, distributions made before age 59½), unless an exception applies.

However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception to the 10% additional income tax applies).

### WHAT TYPES OF RETIREMENT ACCOUNTS AND PLANS MAY ACCEPT MY ROLLOVER?

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, IRAs are not subject to spousal consent rules, and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

### HOW DO I DO A ROLLOVER?

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

**If you do a direct rollover**, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

**If you do not do a direct rollover**, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will accept it. Generally, you will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

### HOW MUCH MAY I ROLL OVER?

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Required minimum distributions after age 73 (if you reach age 72 after Dec. 31, 2022) or after death;
- Hardship distributions;
- Payments of employee stock ownership plan (ESOP) dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends);

- Cost of life insurance paid by the Plan;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution;
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there generally will be adverse tax consequences if you roll over a distribution of S corporation stock to an IRA); and
- Distributions of certain premiums for health and accident insurance.

The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

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#### **IF I DON'T DO A ROLLOVER, WILL I HAVE TO PAY THE 10% ADDITIONAL INCOME TAX ON EARLY DISTRIBUTIONS?**

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If you are under age 59½, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax applies to the part of the distribution that you must include in income and is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation;
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Payments from a governmental plan made after you separate from service if you are a qualified public safety employee and you will be at least age 50 in the year of the separation;
- Payments made due to disability;
- Payments after your death;
- Payments of ESOP dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Cost of life insurance paid by the Plan;
- Payments made directly to the government to satisfy a federal tax levy;
- Payments made under a qualified domestic relations order (QDRO);
- Payments of up to \$5,000 made to you from a defined contribution plan if the payment is a qualified birth or adoption distribution;
- Payments up to the amount of your deductible medical expenses (without regard to whether you itemize deductions for the taxable year);
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution;
- Payments excepted from the additional income tax by federal legislation relating to certain emergencies and disasters; and
- Phased retirement payments made to federal employees.

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#### **IF I DO A ROLLOVER TO AN IRA, WILL THE 10% ADDITIONAL INCOME TAX APPLY TO EARLY DISTRIBUTIONS FROM THE IRA?**

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If you receive a payment from an IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions on the part of the distribution that you must include in income, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- The exception for payments made after you separate from service if you will be at least age 55 in the year of the separation (or age 50 for qualified public safety employees) does not apply;
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse); and
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.

Additional exceptions apply for payments from an IRA, including:

- Payments for qualified higher education expenses;
- Payments up to \$10,000 used in a qualified first-time home purchase; and
- Payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

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#### **WILL I OWE STATE INCOME TAXES?**

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This notice does not address any State or local income tax rules (including withholding rules).



## **SPECIAL RULES AND OPTIONS**

### **IF YOUR PAYMENT INCLUDES AFTER-TAX CONTRIBUTIONS**

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After-tax contributions included in a payment are not taxed. If you receive a partial payment of your total benefit, an allocable portion of your after-tax contributions is included in the payment, so you cannot take a payment of only after-tax contributions. However, if you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in the payment. In addition, special rules apply when you do a rollover, as described below.

You may roll over to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for later payments from the IRAs). If you do a direct rollover of only a portion of the amount paid from the Plan and at the same time the rest is paid to you, the portion rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of

\$12,000, of which \$2,000 is after-tax contributions. In this case, if you directly roll over \$10,000 to an IRA that is not a Roth IRA, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions. If you do a direct rollover of the entire amount paid from the Plan to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

Similarly, if you do a 60-day rollover to an IRA of only a portion of a payment made to you, the portion rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions, and no part of the distribution is directly rolled over. In this case, if you roll over \$10,000 to an IRA that is not a Roth IRA in a 60-day rollover, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions.

You may roll over to an employer plan all of a payment that includes after-tax contributions, but only through a direct rollover (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457(b) plan). You can do a 60-day rollover to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled over.

### **IF YOU MISS THE 60-DAY ROLLOVER DEADLINE**

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Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. Under certain circumstances, you may claim eligibility for a waiver of the 60-day rollover deadline by making a written self-certification. Otherwise, to apply for a waiver from the IRS, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*.

### **IF YOUR PAYMENT INCLUDES EMPLOYER STOCK THAT YOU DO NOT ROLL OVER**

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If you do not do a rollover, you can apply a special rule to payments of employer stock (or other employer securities) that are either attributable to after-tax contributions or paid in a lump sum after separation from service (or after age 59½, disability, or the participant's death). Under the special rule, the net unrealized appreciation on the stock will not be taxed when distributed from the Plan and will be taxed at capital gain rates when you sell the stock. Net unrealized appreciation is generally the increase in the value of employer stock after it was acquired by the Plan. If you do a rollover for a payment that includes employer stock (for example, by selling the stock and rolling over the proceeds within 60 days of the payment), the special rule relating to the distributed employer stock will not apply to any subsequent payments from the IRA or, generally, the Plan. The Plan administrator can tell you the amount of any net unrealized appreciation.

### **IF YOU HAVE AN OUTSTANDING LOAN THAT IS BEING OFFSET**

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If you have an outstanding loan from the Plan, your Plan benefit may be offset by the outstanding amount of the loan, typically when your employment ends. The offset amount is treated as a distribution to you at the time of the offset. Generally, you may roll over all or any portion of the offset amount. Any offset amount that is not rolled over will be taxed (including the 10% additional income tax on early distributions, unless an exception applies). You may roll over offset amounts to an IRA or an employer plan (if the terms of the employer plan permit the plan to receive plan loan offset rollovers).

How long you have to complete the rollover depends on what kind of plan loan offset you have. If you have a qualified plan loan offset, you will have until your tax return due date (including extensions) for the tax year during which the offset occurs to complete your rollover. A qualified plan loan offset occurs when a plan loan in good standing is offset because your employer plan terminates, or because you sever from employment. If your plan loan offset occurs for any other reason (such as a failure to make level loan repayments that results in a deemed distribution), then you have 60 days from the date the offset occurs to complete your rollover.

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**IF YOU WERE BORN ON OR BEFORE JANUARY 1, 1936**

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If you were born on or before January 1, 1936 and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, *Pension and Annuity Income*.

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**IF YOUR PAYMENT IS FROM A GOVERNMENTAL SECTION 457(B) PLAN**

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If the Plan is a governmental section 457(b) plan, the same rules described elsewhere in this notice generally apply, allowing you to roll over the payment to an IRA or an employer plan that accepts rollovers. One difference is that, if you do not do a rollover, you will not have to pay the 10% additional income tax on early distributions from the Plan even if you are under age 59½ (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a rollover to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution made before age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies). Other differences include that you cannot do a rollover if the payment is due to an “unforeseeable emergency” and the special rules under “If your payment includes employer stock that you do not roll over” and “If you were born on or before January 1, 1936” do not apply.

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**IF YOU ARE AN ELIGIBLE RETIRED PUBLIC SAFETY OFFICER AND YOUR PAYMENT IS USED TO PAY FOR HEALTH COVERAGE OR QUALIFIED LONG-TERM CARE INSURANCE**

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If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income Plan payments paid directly as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

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**IF YOU ROLL OVER YOUR PAYMENT TO A ROTH IRA**

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If you roll over a payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. In general, the 10% additional income tax on early distributions will not apply. However, if you take the amount rolled over out of the Roth IRA within the 5-year period that begins on January 1 of the year of the rollover, the 10% additional income tax will apply (unless an exception applies).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*, and IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*.

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**IF YOU DO A ROLLOVER TO A DESIGNATED ROTH ACCOUNT IN THE PLAN**

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You cannot roll over a distribution to a designated Roth account in another employer’s plan. However, you can roll the distribution over into a designated Roth account in the distributing Plan. If you roll over a payment from the Plan to a designated Roth account in the Plan, the amount of the payment rolled over (reduced by any after-tax amounts directly rolled over) will be taxed. In general, the 10% additional income tax on early distributions will not apply. However, if you take the amount rolled over out of the Roth IRA within the 5-year period that begins on January 1 of the year of the rollover, the 10% additional income tax will apply (unless an exception applies).

If you roll over the payment to a designated Roth account in the Plan, later payments from the designated Roth account that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a designated Roth account is a payment made both after you are age 59½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying this 5-year rule, you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you made a direct rollover to a designated Roth account in the Plan from a designated Roth account in a plan of another employer, the 5-year period begins on January 1 of the year you made the first contribution to the designated Roth account in the Plan or, if earlier, to the designated Roth account in the plan of the other employer. Payments from the designated Roth account that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies).

## IF YOU ARE NOT A PLAN PARTICIPANT

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**Payments after death of the participant.** If you receive a distribution after the participant's death that you do not roll over, the distribution generally will be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936" applies only if the deceased participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 73 (if you reach age 72 after Dec. 31, 2022).

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 73 (if the participant would have reached age 72 after Dec. 31, 2022).

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

**Payments under a QDRO.** If you are the spouse or former spouse of the participant who receives a payment from the Plan under a QDRO, you generally have the same options and the same tax treatment that the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). However, payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

## IF YOU ARE A NONRESIDENT ALIEN

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If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*, and IRS Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

## OTHER SPECIAL RULES

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If a payment is one in a series of payments for less than 10 years, your choice whether to do a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold federal income taxes. However, you may do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan administrator or the payor. A mandatory cashout is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information on special rollover rights related to the U.S. Armed Forces, see IRS Publication 3, *Armed Forces' Tax Guide*. You also may have special rollover rights if you were affected by a federally declared disaster (or similar event), or if you received a distribution on account of a disaster. For more information on special rollover rights related to disaster relief, see the IRS website at [www.irs.gov](http://www.irs.gov).

## **FOR MORE INFORMATION**

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*; IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.

## For Payments From a Designated Roth Account

### YOUR ROLLOVER OPTIONS

You are receiving this notice because all or a portion of a payment you are receiving from the Plan is eligible to be rolled over to a Roth IRA or designated Roth account in an employer plan. This notice is intended to help you decide whether to do a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are from a designated Roth account. If you also receive a payment from the Plan that is not from a designated Roth account, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a designated Roth account are described in the “General Information About Rollovers” section. Special rules that only apply in certain circumstances are described in the “Special Rules and Options” section.

### GENERAL INFORMATION ABOUT ROLLOVERS

#### **HOW CAN A ROLLOVER AFFECT MY TAXES?**

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After-tax contributions included in a payment from a designated Roth account are not taxed, but earnings might be taxed. The tax treatment of earnings included in the payment depends on whether the payment is a qualified distribution. If a payment is only part of your designated Roth account, the payment will include an allocable portion of the earnings in your designated Roth account.

If the payment from the Plan is not a qualified distribution and you do not do a rollover to a Roth IRA or a designated Roth account in an employer plan, you will be taxed on the portion of the payment that is earnings. If you are under age 59½, a 10% additional income tax on early distributions (generally, distributions made before age 59½) will also apply to the earnings (unless an exception applies). However, if you do a rollover, you will not have to pay taxes currently on the earnings and you will not have to pay taxes later on payments that are qualified distributions.

If the payment from the Plan is a qualified distribution, you will not be taxed on any part of the payment even if you do not do a rollover. If you do a rollover, you will not be taxed on the amount you roll over and any earnings on the amount you roll over will not be taxed if paid later in a qualified distribution.

A qualified distribution from a designated Roth account in the Plan is a payment made after you are age 59½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying the 5-year rule, you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you did a direct rollover to a designated Roth account in the Plan from a designated Roth account in another employer plan, your participation will count from January 1 of the year your first contribution was made to the designated Roth account in the Plan or, if earlier, to the designated Roth account in the other employer plan.

#### **WHAT TYPES OF RETIREMENT ACCOUNTS AND PLANS MAY ACCEPT MY ROLLOVER?**

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You may roll over the payment to either a Roth IRA (a Roth individual retirement account or Roth individual retirement annuity) or a designated Roth account in an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457 plan) that will accept the rollover. The rules of the Roth IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the Roth IRA or employer plan (for example, Roth IRAs are not subject to spousal consent rules, and Roth IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the Roth IRA or the designated Roth account in the employer plan. In general, these tax rules are similar to those described elsewhere in this notice, but differences include:

- If you do a rollover to a Roth IRA, all of your Roth IRAs will be considered for purposes of determining whether you have satisfied the 5-year rule (counting from January 1 of the year for which your first contribution was made to any of your Roth IRAs).
- If you do a rollover to a Roth IRA, you will not be required to take a distribution from the Roth IRA during your lifetime and you must keep track of the aggregate amount of the after-tax contributions in all of your Roth IRAs (in order to determine your taxable income for later Roth IRA payments that are not qualified distributions).
- Eligible rollover distributions from a Roth IRA can only be rolled over to another Roth IRA.

#### **HOW DO I DO A ROLLOVER?**

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There are two ways to do a rollover. You can either do a direct rollover or a 60-day rollover.

**If you do a direct rollover,** the Plan will make the payment directly to your Roth IRA or designated Roth account in an employer plan. You should contact the Roth IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.



**If you do not do a direct rollover**, you may still do a rollover by making a deposit (generally within 60 days) into a Roth IRA, whether the payment is a qualified or nonqualified distribution. In addition, you can do a rollover by making a deposit within 60 days into a designated Roth account in an employer plan if the payment is a nonqualified distribution and the rollover does not exceed the amount of the earnings in the payment. You cannot do a 60-day rollover to an employer plan of any part of a qualified distribution. If you receive a distribution that is a nonqualified distribution and you do not roll over an amount at least equal to the earnings allocable to the distribution, you will be taxed on the amount of those earnings not rolled over, including the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

If you do a direct rollover of only a portion of the amount paid from the Plan and a portion is paid to you at the same time, the portion directly rolled over consists first of earnings.

If you do not do a direct rollover and the payment is not a qualified distribution, the Plan is required to withhold 20% of the earnings for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to roll over the entire payment in a 60-day rollover to a Roth IRA, you must use other funds to make up for the 20% withheld.

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## **HOW MUCH MAY I ROLL OVER?**

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Required minimum distributions after age 73 (if you reach age 72 after Dec. 31, 2022).
- Hardship distributions;
- Payments of employee stock ownership plan (ESOP) dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends);
- Cost of life insurance paid by the Plan;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution; and
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there generally will be adverse tax consequences if S corporation stock is held by an IRA); and
- Distributions of certain premiums for health and accident insurance.

The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

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## **IF I DON'T DO A ROLLOVER, WILL I HAVE TO PAY THE 10% ADDITIONAL INCOME TAX ON EARLY DISTRIBUTIONS?**

If a payment is not a qualified distribution and you are under age 59½, you will have to pay the 10% additional income tax on early distributions with respect to the earnings allocated to the payment that you do not roll over (including amounts withheld for income tax), unless one of the exceptions listed below applies. This tax is in addition to the regular income tax on the earnings not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation;
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the joint lives or joint life expectancies of you and your beneficiary);
- Payments from a governmental plan made after you separate from service if you are a qualified public safety employee and you will be at least age 50 in the year of the separation;
- Payments made due to disability;
- Payments after your death;
- Payments of ESOP dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Cost of life insurance paid by the Plan;
- Payments made directly to the government to satisfy a federal tax levy;
- Payments made under a qualified domestic relations order (QDRO);
- Payments of up to \$5,000 made to you from a defined contribution plan if the payment is a qualified birth or adoption distribution;
- Payments up to the amount of your deductible medical expenses (without regard to whether you itemize deductions for the taxable year);

- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001 for more than 179 days;
- Payments of certain automatic enrollment contributions that you request to withdraw within 90 days of your first contribution; and
- Payments excepted from the additional income tax by federal legislation relating to certain emergencies and disasters.

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#### **IF I DO A ROLLOVER TO A ROTH IRA, WILL THE 10% ADDITIONAL INCOME TAX APPLY TO EARLY DISTRIBUTIONS FROM THE IRA?**

If you receive a payment from a Roth IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions on the earnings paid from the Roth IRA, unless an exception applies or the payment is a qualified distribution. In general, the exceptions to the 10% additional income tax for early distributions from a Roth IRA listed above are the same as the exceptions for early distributions from a plan. However, there are a few differences for payments from a Roth IRA, including:

- The exception for payments made after you separate from service if you will be at least age 55 in the year of the separation (or age 50 for qualified public safety employees) does not apply;
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to a Roth IRA of a spouse or former spouse); and
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.

Additional exceptions apply for payments from an IRA, including:

- Payments for qualified higher education expenses;
- Payments up to \$10,000 used in a qualified first-time home purchase; and
- Payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

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#### **WILL I OWE STATE INCOME TAXES?**

This notice does not address any State or local income tax rules (including withholding rules).

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### **SPECIAL RULES AND OPTIONS**

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#### **IF YOU MISS THE 60-DAY ROLLOVER DEADLINE**

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. Under certain circumstances, you may claim eligibility for a waiver of the 60-day rollover deadline by making a written self-certification. Otherwise, to apply for a waiver from the IRS, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*.

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#### **IF YOUR PAYMENT INCLUDES EMPLOYER STOCK THAT YOU DO NOT ROLL OVER**

If you receive a payment that is not a qualified distribution and you do not roll it over, you can apply a special rule to payments of employer stock (or other employer securities) that are paid in a lump sum after separation from service (or after age 59½, disability, or the participant's death). Under the special rule, the net unrealized appreciation on the stock included in the earnings in the payment will not be taxed when distributed to you from the Plan and will be taxed at capital gain rates when you sell the stock. If you do a rollover to a Roth IRA for a nonqualified distribution that includes employer stock (for example, by selling the stock and rolling over the proceeds within 60 days of the distribution), you will not have any taxable income and the special rule relating to the distributed employer stock will not apply to any subsequent payments from the Roth IRA or, generally, the Plan. Net unrealized appreciation is generally the increase in the value of the employer stock after it was acquired by the Plan. The Plan administrator can tell you the amount of any net unrealized appreciation.

If you receive a payment that is a qualified distribution that includes employer stock and you do not roll it over, your basis in the stock (used to determine gain or loss when you later sell the stock) will equal the fair market value of the stock at the time of the payment from the Plan.

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#### **IF YOU HAVE AN OUTSTANDING LOAN THAT IS BEING OFFSET**

If you have an outstanding loan from the Plan, your Plan benefit may be offset by the outstanding amount of the loan, typically when your employment ends. The offset amount is treated as a distribution to you at the time of the offset. Generally, you may roll over all or any portion of the offset amount. If the distribution attributable to the offset is not a qualified distribution and you do not roll over

the offset amount, you will be taxed on any earnings included in the distribution (including the 10% additional income tax on early distributions, unless an exception applies). You may roll over the earnings included in the loan offset to a Roth IRA or designated Roth account in an employer plan (if the terms of the employer plan permit the plan to receive plan loan offset rollovers). You may also roll over the full amount of the offset to a Roth IRA.

How long you have to complete the rollover depends on what kind of plan loan offset you have. If you have a qualified plan loan offset, you will have until your tax return due date (including extensions) for the tax year during which the offset occurs to complete your rollover. A qualified plan loan offset occurs when a plan loan in good standing is offset because your employer plan terminates, or because you sever from employment. If your plan loan offset occurs for any other reason (such as a failure to make level repayments that results in a deemed distribution), then you have 60 days from the date the offset occurs to complete your rollover.

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**IF YOU RECEIVE A NONQUALIFIED DISTRIBUTION AND YOU WERE BORN ON OR BEFORE JANUARY 1, 1936**

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If you were born on or before January 1, 1936, and receive a lump sum distribution that is not a qualified distribution and that you do not roll over, special rules for calculating the amount of the tax on the earnings in the payment might apply to you. For more information, see IRS Publication 575, *Pension and Annuity Income*.

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**IF YOUR PAYMENT IS FROM A GOVERNMENTAL SECTION 457(B) PLAN**

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If the Plan is a governmental section 457(b) plan, the same rules described elsewhere in this notice generally apply, allowing you to roll over the payment to an IRA or an employer plan that accepts rollovers. One difference is that, if you receive a payment that is not a qualified distribution and you do not roll it over, you will not have to pay the 10% additional income tax on early distributions with respect to the earnings allocated to the payment that you do not roll over, even if you are under age 59½ (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a rollover to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution that is not a qualified distribution made before age 59½ will be subject to the 10% additional income tax on earnings allocated to the payment (unless an exception applies). Other differences include that you cannot do a rollover if the payment is due to an "unforeseeable emergency" and the special rules under "If your payment includes employer stock that you do not roll over" and "If you were born on or before January 1, 1936" do not apply.

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**IF YOU RECEIVE A NONQUALIFIED DISTRIBUTION, ARE AN ELIGIBLE RETIRED PUBLIC SAFETY OFFICER, AND YOUR PAYMENT IS USED TO PAY FOR HEALTH COVERAGE OR QUALIFIED LONG-TERM CARE INSURANCE**

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If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income nonqualified distributions paid directly as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

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**IF YOU ARE NOT A PLAN PARTICIPANT**

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**Payments after death of the participant.** If you receive a distribution after the participant's death that you do not roll over, the distribution generally will be taxed in the same manner described elsewhere in this notice. However, whether the payment is a qualified distribution generally depends on when the participant first made a contribution to the designated Roth account in the Plan. Also, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you receive a nonqualified distribution and you were born on or before January 1, 1936" applies only if the deceased participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to a Roth IRA, you may treat the Roth IRA as your own or as an inherited Roth IRA.

A Roth IRA you treat as your own is treated like any other Roth IRA of yours, so that you will not have to receive any required minimum distributions during your lifetime and earnings paid to you in a nonqualified distribution before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies).

If you treat the Roth IRA as an inherited Roth IRA, payments from the Roth IRA will not be subject to the 10% additional income tax on early distributions. An inherited Roth IRA is subject to required minimum distributions. If the participant had started taking required minimum distributions from the Plan, you will have to receive required minimum distributions from the inherited Roth IRA. If the participant had not started taking required minimum distributions, you will not have to start receiving required minimum distributions from the inherited Roth IRA until the year the participant would have been age 73 (if the participant would have reached age 72 after Dec. 31, 2022).

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited Roth IRA. Payments from the inherited Roth IRA, even if made in a nonqualified distribution, will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited Roth IRA.

**Payments under a QDRO.** If you are the spouse or a former spouse of the participant who receives a payment from the Plan under a QDRO, you generally have the same options and the same tax treatment that the participant would have (for example, you may roll over the payment to your own Roth IRA or to a designated Roth account in an eligible employer plan that will accept it).

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## **IF YOU ARE A NONRESIDENT ALIEN**

If you are a nonresident alien, you do not do a direct rollover to a U.S. IRA or U.S. employer plan, and the payment is not a qualified distribution, the Plan is generally required to withhold 30% (instead of withholding 20%) of the earnings for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*, and IRS Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

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## **OTHER SPECIAL RULES**

If a payment is one in a series of payments for less than 10 years, your choice whether to do a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments).

If your payments for the year (only including payments from the designated Roth account in the Plan) are less than \$200, the Plan is not required to allow you to do a direct rollover and is not required to withhold federal income taxes. However, you can do a 60-day rollover.

Unless you elect otherwise, a mandatory cashout from the designated Roth account in the Plan of more than \$1,000 will be directly rolled over to a Roth IRA chosen by the Plan administrator or the payor. A mandatory cashout is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information on special rollover rights related to the U.S. Armed Forces, see IRS Publication 3, *Armed Forces' Tax Guide*. You also may have special rollover rights if you were affected by a federally declared disaster (or similar event), or if you received a distribution on account of a disaster. For more information on special rollover rights related to disaster relief, see the IRS website at [www.irs.gov](http://www.irs.gov).

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## **FOR MORE INFORMATION**

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*; IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.



## **NOTICE OF YOUR RIGHT TO DEFER DISTRIBUTIONS**

The Rules under Section 411(a) of the Internal Revenue Code require the delivery of this notice prior to the payment of distributions from 401(k) and other retirement plans subject to ERISA. If you are a participant in a non-ERISA plan, this notice is not legally required, but still provides important information that merits your consideration.

You may elect to (1) leave the assets in your Plan account until a later date (subject to IRS minimum distribution requirements), (2) take a distribution of your assets from your Plan account, or (3) roll over your assets from your Plan account to another retirement plan vehicle (including an IRA). When considering which alternative is best for you, you should consider the economic consequences which include evaluating any new investment options available to you if you move your account monies and the respective investment fees and expenses associated with any new investment option.

If you elect to take a distribution and not roll the assets over from your Plan account to an IRA or other retirement plan, you typically lose the opportunity to continue accumulating earnings on your plan account on a tax-deferred basis (tax-free for Roth contributions) for retirement. This means that by taking a cash distribution now and being taxed on it, you potentially may end up with lower retirement income even if you invest the after tax distribution.

Information on administrative fees and transactional fees assessed to your Plan account can be obtained from the following documents (Note: not all documents may apply to you):

- Summary Plan Description (SPD) for ERISA plans,
- Enrollment kit,
- Prospectus summary,
- Disclosure booklet, or
- Your individual contract.

To request a copy of the SPD, disclosure booklet and enrollment kit, call your local Voya representative, your employer or plan administrator. To request a copy of the prospectus summary and individual contract, call Customer Service, using the toll-free number provided to you in your distribution package or on your Voya statement of account. Administrative and transactional fees assessed on your Plan account will be reflected on your Voya statement of account.

Information on the investment options available to you under the Plan today, including related fees or expenses, can be obtained from the Fund Performance and Fund Fact Sheets available online at [www.voyaretirementplans.com](http://www.voyaretirementplans.com) or by calling us.

To learn more about your distribution options under the Plan please call us. To inquire about the tax consequences of each option, please contact a professional tax advisor.



# NOTICE OF BENEFITS AND BENEFIT PAYMENT FORM

ABA Retirement Funds Program ("Program")  
P.O. Box 990073 • Hartford, CT 06199

Customer Contact Center: 800.348.2272  
Website: [abaretirement.com](http://abaretirement.com)

Read this notice carefully -- it contains important plan distribution information you and your spouse will need before you decide how to receive your benefits from your employer's plan through the ABA Retirement Funds Program.

## HOW ARE BENEFITS PAID?

You will receive your benefit under the plan as a single lump sum distribution.

## OPTIONAL FORMS OF DISTRIBUTION

If your vested account balance is greater than \$5,000, you may elect instead to receive payment of your plan account in the form of installment payments (monthly, quarterly, semi-annual, or annual installment payments) or in the form of a partial withdrawal.

## WHEN WILL PAYMENT OF MY BENEFITS BEGIN?

You are entitled to receive a distribution of your plan account upon your termination of employment as soon as administratively practicable after you submit the appropriate distribution form to the address shown on such form. Unless you elect otherwise, payment of your plan account will begin no later than the 60th day after the end of the plan year which includes the latest of the date of your termination of employment, your 65th birthday, or the 10th anniversary of the date you became a participant in the plan. You may elect, however, to defer payment of your plan account until April 1 following the later of the year you attain age 73 and the year you terminate employment except that if you are a 5% owner, certain minimum distributions must begin no later than April 1 following the year you attain 73, regardless of whether you have terminated employment.

## WHAT DEATH BENEFIT IS PAYABLE IF I DIE AFTER DISTRIBUTION BEGINS?

If the distribution of your account balance has begun in the form of installment payments, then any remaining portion of your account will, after your death, continue to be paid to your surviving spouse (or, with the consent of your spouse, any other designated beneficiary) in the form of installments at least as rapidly as those installments were paid prior to your death.

No benefit is payable after your death if you previously received a single lump sum payment of your entire vested account balance.

## WHAT DEATH BENEFIT IS PAYABLE IF I DIE BEFORE DISTRIBUTION BEGINS?

If you are married at the time of your death and you die before the distribution of your account balance has begun, your surviving spouse will receive a distribution of your account in the form of a single lump sum distribution or installment payments (as elected by your surviving spouse). If you are not married at the time of your death or you designated, with the consent of your spouse, a beneficiary other than your spouse, your beneficiary will receive distribution of your plan account in the form of a single lump sum distribution or installment payments, as elected by your beneficiary.

## YOUR RIGHT TO RECEIVE ADDITIONAL INFORMATION AND REVOCATION

You have the right to receive information from the Plan Administrator (i.e., the Employer/Plan Sponsor) about the relative value of your plan account within a reasonable time before your benefit begins to be paid to you. You may change or revoke your elected benefit form at any time during the 180-day period ending on the date your benefits are paid to you.

## FUTURE CHANGES

Once you sign the appropriate distribution form, you agree that benefits under the plan will be paid in the form stated on the distribution form.

## INVOLUNTARY CASH-OUTS

Unless you elect otherwise, if your vested account balance is \$1,000 or less, the Plan will automatically pay your benefit to you in a single lump sum payment. Unless you elect otherwise, if your benefit is between \$1,000 and \$5,000, it will be rolled over to an individual retirement account with Voya. The Voya IRA will be invested in an investment product designed to preserve principal and provide a reasonable rate of return and liquidity. Any fees and expenses will be charged to your IRA.

## IMPORTANT INFORMATION REGARDING YOUR RIGHT TO DEFER DISTRIBUTIONS

As a participant who is eligible to receive benefits, you will make a decision about what to do with your retirement savings in the plan. You may leave your money in your account, where it will continue to be invested as you choose and will continue to defer federal income tax.

If you decide to take money out of the plan, any amount that is not directly rolled over to an IRA or another eligible plan will be subject to 20% income tax withholding. Any amount received that is not rolled over within 60 days must be included in your taxable income and may be subject to an additional 10% penalty tax if you received the amount before age 59 1/2. If you decide to keep your money in the plan, you must begin taking at least a minimum payment beginning April 1st of the calendar year following the year you reach age 73 or retire, whichever is later.

If you decide to keep your money in the plan, you may continue to invest in any of the plan's investment options. Your account will still be subject to investment gains and losses. While there is a general inability to borrow against your account, you may take a partial or complete distribution at any time.