

Retirement Plan Compliance Calendar

Retirement plan sponsors are responsible for compliance with many reporting, disclosure and notice requirements. This Retirement Plan Compliance Calendar summarizes the major requirements that apply to calendar year Defined Benefit ("DB") and Defined Contribution ("DC") plans for 2010. Due dates are based on a calendar year plan year. Please contact your USI Consulting Group representative if you have questions regarding these requirements and their application to your plan(s).

Month	Plan Type	Task	Requirement	Due Date*	Status
January	DB	Make fourth quarter contribution for 2009 plan year	Quarterly contribution due 15 days after the end of applicable quarter.	January 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Provide IRS Form 1099-R	Send Form 1099-R to participants who received distributions in the previous year.	January 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Submit IRS Form 5300 Application for Determination letter for Cycle D – EGTRRA Restatement	Submission of individually designed plan documents to IRS for Determination Letter. Year of submission determined by last digit of Employer Identification Number (EIN). Cycle D applies to plan sponsors with EINs ending in 4 or 9.	January 31 (Note: IRS deadline extended to next business day, making deadline February 1, 2010)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
February	DB/DC	Submit IRS Form 1099-R	File Form 1099-R with IRS to report distributions made in 2009, if not filing electronically.	February 28	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	File 2010 PBGC Comprehensive Premium Payment Form	Flat rate premium payment for plans with over 500 participants ("large plans") in prior year.	February 28	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

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Month	Plan Type	Task	Requirement	Due Date	Status
March	DC	Make corrective distributions for excess 2009 contributions	Deadline for processing corrective distributions for failed Actual Deferral Percentage (ADP) and Actual Contribution Percentage (ACP) tests to avoid a 10% excise tax.	March 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DC	Deposit employer contributions	Prior year employer matching and profit sharing contributions due for <u>corporate</u> entities in order to take tax deduction.	March 15 (For plans with a tax year ending December 31, without corporate tax extension)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Apply for Waiver for Minimum Funding Standard	Application for Waiver for Minimum Funding Standard due for DB and money purchase plans, where applicable.	March 15 (Due no later than the 15th day of the 3rd month after the close of the plan year for which the waiver is requested)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Submit IRS Form 1099-R	Deadline for electronic filing of 1099-R for prior year distributions.	March 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
April	DB	Obtain AFTAP Certification to avoid presumption	Deadline for plan actuary to certify Adjusted Funding Target Attainment Percentage (AFTAP) in order to avoid presumption that the current year AFTAP is to be the prior year AFTAP minus 10% (assuming benefit limits did not apply in the prior year).	April 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Make Initial Required Minimum Distributions for 2009¹	Required beginning date for participants attaining age 70½ or retiring after age 70½ in prior year for taking first required minimum distribution (RMD) under IRC Section 401(a)(9) for 2009.	April 1	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Make first quarter contribution for 2010 plan year	Quarterly contribution due 15 days after the end of applicable quarter.	April 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DC	Distribute Excess Deferrals (402(g) Refunds)	Deadline for corrective distributions of deferrals in excess of \$16,500.	April 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DC	Deposit employer contributions	2009 employer matching and profit sharing contributions due for <u>unincorporated</u> entities in order to take tax deduction.	April 15 (For plans with a tax year ending December 31, without tax extension)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Distribute Annual Funding Notice	Annual funding notice to participants, beneficiaries, and labor organizations representing participants from plan sponsors of single and multiemployer DB pension plans.	April 15 (Due within 120 days after the close of the plan year) Note: small plans (covering fewer than 100 participants) must provide the notice by the filing due date of the plan's IRS Form 5500	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Distribute Notice of Benefit Limitations and Restrictions	Notice to participants of limitations on benefit increases, benefit payments and benefit accruals that apply if a plan's AFTAP is less than specific percentages.	April 30 (Or 30 days after certain specified dates to which the benefit restriction applies)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
June	DC EACA Plans	Make corrective distributions for certain excess 2009 contributions and excess aggregate contributions	Deadline for processing corrective distributions for failed ADP/ACP test from a plan with an Eligible Automatic Contribution Arrangement (EACA) to avoid a 10% excise tax.	June 30	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

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Month	Plan Type	Task	Requirement	Due Date	Status
July	DB	Make second quarter contribution for 2010 plan year	Quarterly contribution due 15 days after the end of applicable quarter.	July 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Distribute Summary of Material Modifications to update SPDs for 2009 plan amendments	Summary of Material Modifications due to participants (due no later than 210 days after the end of the plan year in which the plan change is adopted.)	July 29	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Submit Form 5500² Submit Form 5558² Submit Form 5330	Form 5500 due (due 7 months after plan year ending December 31, unless extension applies). Form 5558 – Application for Extension of Time to File Certain Employee Plan Returns (Form 5500, 5330) – due on or before normal due date for filing Form 5500. Form 5330 – excise taxes related to employee benefit plans due to IRS (e.g., excise taxes for late test corrections, late deposits of employee deferrals).	July 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
September	DB/DC	Deposit Employer Contributions	Deadline to deposit required contribution for money purchase pension, target benefit, and DB plans (8½ months after plan year end) and prior year employer profit sharing and match contributions for those sponsors that filed a corporate tax extension.	September 15 (Deadline in order to deduct contributions for 2009 plan year)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Distribute Summary Annual Report (SAR)	Deadline for plans with plan year ending December 31 to provide SAR to DC participants and DB participants for DB plans not subject to the Annual Funding Notice Requirement.	September 30 (9 months after year-end or 2 months after filing Form 5500)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Final AFTAP Certification	Plan actuary makes final certification for current plan year.	September 30	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
October	DB	Make third quarter contribution for 2010 plan year	Quarterly contribution due 15 days after the end of applicable quarter.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Distribute Annual Funding Notice	Deadline for DB small plans (covering fewer than 100 participants) to distribute Annual Funding Notice.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	File 2010 PBGC Comprehensive Filing Form	Annual PBGC Premium Payment for plans with 100 to 499 participants (“mid-sized plans”) in the prior year.	October 15 (Due by the 15th day of the 9th full month following the month in which the plan year began) Note: small plans (covering fewer than 100 participants) must file by April 30th of the following year	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	File IRS Form 5310-A	To give notice to IRS of Qualified Separate Lines of Business, where applicable.	October 15	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Submit IRS Form 5500²	Form 5500 deadline to submit for plans with Form 5558 filing extension.	October 15 (2½ month extension if Form 5558 was filed timely)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

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Month	Plan Type	Task	Requirement	Due Date	Status
October – December	DC	Distribute Annual 401(k) Plan Safe Harbor Notice	Provide notice to eligible employees. Employers who want the ability to provide a Qualified Non-Elective Contribution (QNEC) 3% employer contribution must issue a 401(k) Plan Safe Harbor Contingent notice to eligible employees.	December 1 (No more than 90 days and at least 30 days prior to the beginning of the 2011 plan year)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DC	Distribute Qualified Default Investment Alternative (QDIA) Notice	Provided annually to all participants (including alternate payees and beneficiaries) to inform of their rights to direct investments and how their accounts will be invested if they do not direct investments.	December 1 (No more than 90 days and at least 30 days prior to the beginning of the 2011 plan year)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DC	Distribute Annual Automatic Enrollment Notice	Provided annually to all eligible employees (can be combined with QDIA notice).	December 1 (No more than 90 days and at least 30 days prior to the beginning of the 2011 plan year)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
December	DB/DC	Make 2010 Required Minimum Distributions – Age 70½	Due to participants who have begun receiving distributions.	December 31	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB/DC	Adopt discretionary amendments	Deadline for adopting of amendments for any discretionary changes that became effective during the plan year.	Must be formally adopted by the last day of the plan year (December 31 for calendar year plans)	<input type="checkbox"/> Complete <input type="checkbox"/> N/A
	DB	Annual Benefit Statement Notice	Notice provided to participants regarding availability and how to obtain Annual Benefit Statements.	Annual Benefit Statement requirement considered met if notice is provided at least once per year	<input type="checkbox"/> Complete <input type="checkbox"/> N/A

* Dates shown assume a January 1 – December 31 plan year and calendar year tax years.

¹For DC Plans - The Worker Retiree Employer Recovery Act (“WRERA”), waived RMDs for the 2009 calendar year.

²For plan years beginning on and after January 1, 2009, Forms 5500 and 5558, must be filed electronically using the DOL’s EFAST2.

This Update has been prepared for informational purposes only and is not designed to be a comprehensive analysis of any topic discussed herein and should not be relied upon as the only source of information. Additionally, this Update is not intended to represent advice or a recommendation specific to your plan.

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