

# RecordkeeperDirect® Plan Disclosure Checklists for Sponsors

Summary of participant notices		
Type of notice/disclosure	Who creates it	Where to find it*
404(a)(5) Participant-Level Fee Disclosure	Capital Group	Sponsor, participant and enrollment education websites
Blackout/Transition Notices (if applicable)	Capital Group	Provided to sponsor to review and distribute
Form 1099-R	Capital Group	Mailed to participants and posted on participant website
Quarterly Benefit Statement	Capital Group	Mailed or emailed to participants and posted on participant and sponsor websites
Special Tax Notice for Plan Distributions	Capital Group	Sponsor/participant websites/embedded within withdrawal forms
Automatic Enrollment Notices (if applicable)	TPA	Template available on sponsor website
Flexible Discretionary Match Communication (if applicable)	TPA	TPA provides
Joint and Annuity Notifications (if applicable)	TPA	TPA provides
Mandatory Distribution/Automatic Rollover Notices (if applicable)	TPA	TPA provides
Qualified Default Investment Alternative (QDIA) Notices (if applicable)	TPA	Template available on sponsor website
Required Minimum Distribution (RMD) Notices (if applicable)	TPA	TPA provides
Safe Harbor Notices (if applicable)	TPA	Template available on sponsor website
Summary Annual Report (SAR)	TPA	TPA provides
Summary of Material Modifications (SMM)	TPA	TPA provides
Summary Plan Description (SPD)	ТРА	TPA provides

<sup>\*</sup> Unless otherwise noted, notices made available on sponsor and/or participant websites are not mailed or distributed by Capital Group by any other means.

#### **Notice Delivery**

Notice Delivery is a service offered by Capital Group that can simplify your retirement plan notice process. Designated plan sponsor and TPA contacts can upload regulatory notices/disclosures and participant lists via our website, and we will mail each document for a flat fee of \$2.00 per participant. For more information, sign into the plan sponsor website. Then click **Plan Notices** under the **Plan Administration** tab.

As the plan sponsor of a retirement plan, it's your fiduciary responsibility to provide a variety of disclosure documents and notices to plan participants and their beneficiaries. There are also a number of steps you may need to take to ensure that your plan is in compliance. Be sure to perform a reasonable search to find any lost or missing participants so that they receive the required plan notifications. The timing of these actions and the recipients of this information will

vary depending on the purpose and type of communication. The checklists and calendar that follow are designed to help you meet your fiduciary requirements throughout the plan year. Keep them in a prominent place to help ensure that disclosure is delivered on time and that you and your plan remain in compliance. The checklists don't cover all plan requirements, and they shouldn't be used as a substitute for a complete plan review.

#### Checklist of disclosure to participants

	Checklist of disclosure to participants			
	Type of notice/disclosure: 404(a)(5) participant-level fee disclosure			
Check if complete	Recipients: All eligible employees; participants (including terminated participants), beneficiaries and alternate payees with account balances	<ul> <li>Time of delivery:</li> <li>On or before the date a participant/beneficiary/alternate payee is first permitted to direct investments</li> <li>At least once in any 14-month period after initial disclosure</li> <li>Typically 30 to 90 days in advance of certain plan changes</li> </ul>		
	Type of notice/disclosure:  Blackout/transition notices (if applicable)			
Check if complete	Recipients: All eligible employees; participants (including terminated participants), beneficiaries and alternate payees with account balances	Time of delivery: At least 30 and no more than 60 days before the last day before the blackout period begins		
	Type of notice/disclosure: Form 1099-R			
Check if complete	Recipients: All participants (including terminated participants), beneficiaries and alternate payees who received distributions during the calendar year.  Note: Include loans treated as distributions	Time of delivery: As needed, but no later than January 31 of the year following the calendar year in which the distribution was made		
	Type of notice/disclosure:  Quarterly benefit statement			
Check if complete	Recipients: All participants (including terminated participants), beneficiaries and alternate payees with account balances in the prior quarter	Time of delivery: No later than 45 days following the quarter-end		
Type of notice/disclosure: Special tax notice for plan distributions				
Check if complete	Recipients: Participants (including terminated participants), beneficiaries and alternate payees requesting plan distributions	Time of delivery: As needed, but at least 30 days (subject to waiver) before the distribution is made		
	Type of notice/disclosure: Flexible discretionary match communication (if applicable)			
Check if complete	Recipients: Participants who receive a flexible discretionary match contribution	Time of delivery:  No later than 60 days following the date on which the last flexible discretionary match contribution is made for the plan year		

## Checklist of disclosure to participants (continued)

	Type of notice/disclosure:  Joint and annuity notifications (if applicable)	
Check if complete	Recipients: Qualified Joint and Survivor Annuity (QJSA)/ Qualified Optional Survivor Annuity (QOSA): Participants (including terminated participants) subject to QJSA and QOSA provisions Qualified Pre-Retirement Survivor Annuity (QPSA): Participants (including terminated participants) subject to QPSA provisions	Time of delivery:  QJSA/QOSA:  No less than 30 days and no more than 180 days before the participant's annuity starting date (or earlier, if a request for a distribution is received)  QPSA:  • During the period beginning with the plan year in which the participant attains age 32, and ending with the plan year in which the participant attains age 35  • By no later than one year following the participant's plan entry date or one year after the QPSA becomes applicable
	Type of notice/disclosure:  Mandatory distribution/automatic rollover notices (if applicable)	
Check if complete	Recipients: Terminated participants, alternate payees and beneficiaries with vested account balances at or below the level specified in the plan document	Time of delivery: As needed; typically 30 to 180 days prior to the processing of an automatic rollover to an IRA or a cash-out distribution
	Type of notice/disclosure:  Qualified default investment alternative (QDIA) notices (if applicable)	
Check if complete	Recipients:  Newly eligible employees  All participants who have not made an affirmative investment election in the plan year  Notes:  Recipients include beneficiaries, terminated participants and alternate payees with account balances.  Automatic enrollment, QDIA and safe harbor notices may all be combined into a single notice.	<ul> <li>Time of delivery:</li> <li>Generally at least 30 days prior to investing the first contribution in the default investment</li> <li>Annually, at least 30 days prior to the beginning of the plan year for participants who have not made an affirmative investment election</li> </ul>
	Type of notice/disclosure:  Required minimum distribution (RMD) notices (if applicable)	
Check if complete	Recipients:  Participants (including terminated participants), beneficiaries and alternate payees with account balances who reach RMD age this calendar year  S% owners with account balances who reach RMD age	Time of delivery: As needed; typically during the month of October to allow sufficient time for applicable RMD payments to be processed by year-end
	Type of notice/disclosure: Summary Annual Report (SAR)	
Check if complete	Recipients: All participants and beneficiaries in the plan Note: Recipients include terminated participants and alternate payees with account balances.	Time of delivery: Later of nine months after the plan year-end or within two months after the filing deadline (including extension) of the Form 5500

## Checklist of disclosure to participants (continued)

	Type of notice/disclosure: Summary of Material Modifications (SMM) (can be provided in lieu of an updated SPD for plan amendments)		
Check if complete	Recipients:  Newly eligible employees  All participants and beneficiaries in the plan  Note: Recipients include terminated participants and alternate payees with account balances.	Time of delivery: For amended plans, the SMM must be delivered within 210 days following the year in which the amendment becomes effective	
	Type of notice/disclosure: Summary Plan Description (SPD)		
Check if complete	Recipients:  Newly eligible employees  All participants and beneficiaries in the plan  Note: Recipients include terminated participants and alternate payees with account balances.	<ul> <li>Within 90 days of becoming a participant in the plan or, in the case of a beneficiary, within 90 days after first receiving benefits</li> <li>For newly created plans, an SPD must be distributed to participants and beneficiaries within 120 days after the plan is first instituted</li> <li>If there are no material changes to the plan during the immediately preceding 10-year period, the SPD must be distributed within 210 days following the last day of the 10th plan year after a material change would have been reflected in the most recently distributed SPD</li> <li>If there were material changes to the plan during the immediately preceding five-year period, the SPD must be distributed within 210 days following the last day of the fifth plan year after a material change would have been reflected in the most recently distributed SPD</li> <li>If the plan is updated due to a plan amendment, an updated SPD or Summary of Material Modifications (SMM) must be delivered within 210 days following the year in which the amendment becomes effective</li> </ul>	

## Checklist of annual plan events

Following are the steps you should take to ensure that your plan is in compliance.

	Action required:  Contact service provider to begin the annual year-end testing process		
Check if complete	Remarks:  • Update compensation and participant-indicative data (for termination/rehire dates, any other status changes)  • Make sure final contributions have been made for the plan year and forfeitures have been disposed of properly	Timing: Start the process approximately one month prior to plan year-end	
	Action required: Hire independent auditor		
Check if complete	Remarks: Applies to large plan filers only (generally, those with 100 or more participants with account balances)	Timing: Within three months after plan year-end	
	Action to consider: Conduct investment review		
Check if complete	Remarks: Contact the plan's investment professional for assistance Review investment results and benchmarks to determine if changes are necessary	Timing: Consider at least annually	
	Action to consider: Conduct plan design review		
Check if complete	Remarks:  Review plan terms for design changes and request amendments if necessary  Review and adopt any mandatory amendments	Timing: Consider at least annually	
	Action required: Review non-vested terminated participant accounts (forfeiture breaks in service)		
Check if complete	Remarks:  Review plan terms to verify requirements  Forfeit non-vested account balances for impacted terminated participants	Timing: At least annually	
	Action required:  Confirm all government filings have been completed for the plan year		
Check if complete	<ul> <li>Remarks:</li> <li>Review, sign and file Form 8955-SSA (or Form 5558 if extension required)</li> <li>Review, sign and file Form 5500 (or Form 5558 if extension required)</li> </ul>	<ul> <li>Timing:</li> <li>Without extension: last day of the seventh calendar month after plan year-end</li> <li>With extension: 9½ months after plan year-end; use Form 5558 to request an extension</li> </ul>	

## Checklist of 401(k)/403(b) special plan events and notices

The following actions apply only to 401(k)/403(b) plans and should be completed as needed.

Check if complete	Delivery of automatic enrollment notices:  Automatic Contribution Arrangement (ACA) Eligible Automatic Contribution Arrangement (EACA) Qualified Automatic Contribution Arrangement (QACA)		
	Recipients:  Newly eligible employees, and all eligible employees who will be subject to the automatic enrollment feature  Note: Automatic enrollment, QDIA and safe harbor notices may all be combined into a single notice.	<ul> <li>Newly eligible employees</li> <li>ACA - At least 30 days before employee is eligible</li> <li>EACA/QACA - Within a "reasonable" period prior to eligibility, and generally no later than the date the employee becomes eligible</li> <li>Annual notice</li> <li>ACA - Within a reasonable period at least 30 days prior to the beginning of each plan year</li> <li>EACA/QACA - At least 30 days, but no more than 90 days prior to the beginning of each plan year</li> </ul>	
	Delivery of safe harbor notices		
Check if complete	Recipients: All eligible employees Note: Automatic enrollment, QDIA and safe harbor notices may all be combined into a single notice.	<ul> <li>Newly eligible employees</li> <li>Within a "reasonable" period prior to eligibility, and generally no later than the date the employee becomes eligible</li> <li>Annual notice</li> <li>At least 30 days, but no more than 90 days prior to the beginning of each plan year</li> </ul>	
Check if	Actual Deferral Percentage (ADP)/Actual Contribution Percentage (ACP) excess refunds due for failing nondiscrimination testing		
complete	Recipients: Highly Compensated Employees (HCEs) according to the IRS formula  Note: 403(b)s are not subject to APD testing.	Timing: Within 2½ months (six months for EACA) after plan year-end to avoid a 10% excise tax to the employer	
	Refunds for amounts contributed in excess of annual maximum deferral limit (402(g))		
Check if complete	Recipients: Any participants whose calendar-year deferrals (pre-tax and/or Roth) exceed the annual maximum	Timing: Generally by April 15 of the year following the calendar year in which the excess occurred	

#### Calendar of key dates and deadlines

Following is a list of key dates and deadlines for calendar-year defined-contribution retirement plans. Please refer to it throughout the year to ensure that these plan requirements are completed in a timely fashion.

**Note:** When a due date falls on a weekend or holiday, generally it is extended to the next business day.

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January	-	Engage independent auditor, if applicable
	-	Complete year-end work related to plan and request testing
	31	Form 945 provided to report income withheld from distributions
	31	Form 1099-R provided to recipients of distributions
February	14	Prior quarter participant benefit statement deadline
March	15	Process 401(k)/403(b) corrective distributions for failed ADP/ACP nondiscrimination testing
April	1	First required minimum distribution deadline (required beginning date); generally applies to participants who reached RMD age or retired after RMD age in the prior year
	15	Process 401(k)/403(b) excess deferral refunds
May	14	Prior quarter participant benefit statement deadline
June	30	Process EACA corrective distributions deadline for failed ADP/ACP nondiscrimination testing
July	31	Filing deadline for Form 5500 (or Form 5558 if extension required)
	31	Filing deadline for Form 8955-SSA for calendar-year plan (or Form 5558 if extension required)
August	14	Prior quarter participant benefit statement deadline
September	30	Distribute Summary Annual Reports to participants, unless Form 5500 deadline extended through filing Form 5558
October	15	If on extended deadline, file Form 5500 – if Form 5558 was filed on time
	15	If on extended deadline, file Form 8955-SSA – if Form 5558 was filed on time
	30	Generate RMD reports and send notices to participants who may be subject to required minimum distribution requirements
November	14	Prior quarter participant benefit statement deadline
December	1	Provide annual QDIA notices
	1	Provide annual safe harbor notices
	1	Provide annual automatic enrollment notices
	1	Deliver annual participant-level fee disclosure to participants. The disclosure could be provided at a different time as long as it is delivered within 14 months of the date the prior year's notice was provided.
	15	Distribute Summary Annual Reports – if Form 5500 filing extended
	31	Annual required minimum distribution deadline