
USE THIS FORM IF EMPLOYEE IS TRYING TO...

NDPERS DEFERRED COMPENSATION PLAN FORMS:

<u>If Employee is Trying To:</u>	<u>Use This Form</u>
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Enrollment or Waiver

For each new permanent and temporary employee, the authorized agent must complete the on-line NDPERS Member Data Record. See Employer Reporting section.

Initiate employee enrollment in the North Dakota Public Employees 457 Deferred Compensation Plan. This initiates PEP contribution vesting if employee is also enrolled in the NDPERS Defined Benefit Retirement Plan.	Employee must complete the 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803
Initiate PEP contribution vesting: Expedited enrollment in the 457 Deferred Compensation Plan and vesting in employer contribution or Waiver of Participation. To be completed by employee.	Newly hired employees of employers participating in NDPERS Defined Benefit Retirement Plan and the NDPERS Deferred Compensation Plan must complete 457 Deferred Compensation Plan Expedited Enrollment/Waiver SFN 54362

Designations & Changes

Initiate a change in employee contribution amount or to suspend contributions.	Employee must complete the 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803
Initiate a change in name, address, employer, Provider Company or Provider Agent	Complete the 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803
Name beneficiaries to deferred compensation account benefits in the event of an employee's death	Employee must Contact Provider Company Representative
Initiate a Transfer of 457 deferred compensation account funds to another NDPERS Provider Company	Employee must complete Rollover/Transfer to the 457 Deferred Compensation Plan form SFN 50177
Initiate a "roll-over" of funds from another eligible retirement plan, 457(b), 403(b) or IRA to the NDPERS 457 Deferred Compensation Plan	Employee must complete Rollover/Transfer to the 457 Deferred Compensation Plan form SFN 50177

Normal & Age 50+ & USERRA Catch-up

Initiate the authorization to utilize the deferred comp plan "normal catch-up" provision	Employee must complete Catch-up Worksheet/Certification SFN 51501
Initiate utilization of the 50+ catch-up provision for the 457 deferred compensation plan	Employee must complete the 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803
Initiate USERRA for active military duty deferred compensation plan catch up for a Returned Reservist	Employee must complete the 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803

Miscellaneous

Initiate Financial Hardship Application	Employee must request the Financial Hardship Application SFN 16662 from NDPERS
Initiate a request for an in-service Deminimus Distribution	Employee must complete Request for Deminimus Distribution SFN 52051

**457 DEFERRED COMPENSATION PLAN
ENROLLMENT/CHANGE FORM
SFN 3803**

All instructions, terms and conditions are in the NDPERS Deferred Compensation Plan handbook.

This form is used for all of the following and will automatically begin PEP contribution vesting for employees who are also enrolled in the NDPERS Defined Benefit Retirement Plan:

1. New Application
2. Increase Deduction
3. Decrease Deduction
4. Suspend Deduction
5. Change Employer
6. Age 50 or older: Annual Catch-up
7. Regular 3 Year Catch-up
8. Provider Change
9. Change in Agent
10. USERRA Missed Contributions
11. Lump Sum Sick & Annual Leave

*If an employee wants to elect the minimum contribution and have that contribution go into the NDPERS Companion Plan the employee may complete the. **Only one enrollment form is necessary.**

The 457 Deferred Compensation Plan Enrollment/Change Form SFN 3803 is the form used to enroll an employee in the 457 Deferred Compensation Plan and **will automatically begin PEP contribution vesting for employees who are also enrolled in the NDPERS Defined Benefit Retirement Plan.** The 457 Deferred Compensation Plan Expedited Enrollment/Waiver Form SFN 54362 can also be used to enroll an employee who elects the minimum contribution and chooses to have it go into the Companion Plan. **ONE OF THESE FORMS MUST BE RECEIVED AND SIGNED BY NDPERS BEFORE CONTRIBUTIONS WILL BE ACCEPTED FOR THE NDPERS DEFERRED COMPENSATION PLAN.** For non-NDPERS 457 plan participants or 403(b) plan participants, this form is not necessary. For employees transferring from one participating agency to another use the Notice of Transfer Kit **SFN 53728.**

If a member wishes to suspend or change the deduction amount or Provider, the employee must complete a 457 Deferred Compensation Plan Enrollment/Change Form. Payroll does not have the authority under IRS regulations to change or suspend deductions without an approved Enrollment/Change form. Deductions must be submitted for each pay period wages are paid unless the employee completes the Enrollment/Change form to suspend the contribution amount.

MEMBER CONTRIBUTIONS TO OTHER PARTICIPATING EMPLOYER SUPPLEMENTAL INTERNAL REVENUE CODE SECTION 457 OR 403(b) RETIREMENT PROGRAMS, AS APPROVED BY THE BOARD, ARE ELIGIBLE FOR VESTING OF EMPLOYER CONTRIBUTIONS. (PEP)

Part time/temporary employees are not eligible to participate in NDPERS 457 Deferred Compensation Plan.

Instructions for Part E – Salary Reduction Authorization

Deduction Amount. The employer is required to withhold the amount entered in this section from each paycheck that the employee receives. It is a pay period amount, not a monthly amount.

Example: If an employee enters a deduction amount of \$100 and is paid on a monthly payroll cycle, the total deductions withheld for the month will be \$100. If the employee is paid on a semi-monthly payroll cycle, the total deductions withheld for the month will be \$200. If the employee is paid bi-weekly, \$100 will be deducted every 2 weeks.

Deduction Beginning Date. The date entered in this section is the pay period beginning date. It is not the date the paycheck is issued.

For example, if an employee enters a pay period beginning date of July 1, 2011, the deduction is authorized to begin as follows:

State employee: The deduction will begin with the July 1-31, 2011 pay period paid August 1, 2011. The deduction does not begin on the paycheck received on July 1, 2011. To set up the deduction in PeopleSoft Benefits Administration, use the date from Part E of the form as the event date. For this example, that would be July 1, 2011. This will ensure that the deduction begins in the correct pay period.

Higher education employee: The deduction will begin with the July 1-15, 2011 pay period paid on July 31, 2011. To set up the deduction in PeopleSoft Benefits Administration, use the date from Part E of the form as the event date. For this example, that would be July 1, 2011. This will ensure that the deduction begins in the correct pay period.

Employee paid semi-monthly on 15 & 30: The deduction will begin with the July 1-15, 2011 pay period paid on July 15.

If you have questions on when to start, stop or change deferred comp deductions, please contact the NDPERS deferred comp accountant.

457 DEFERRED COMPENSATION PLAN EXPEDITED ENROLLMENT/WAIVER
SFN 54362

In order to promote the ability for employees to supplement their retirement savings, we have designed our plan to make saving as convenient as possible by providing an **EXPEDITED** enrollment option. The expedited enrollment does not require the employee to make a decision regarding the amount of the contribution, investment allocation, or selecting a provider company or agent. The employee need only complete the 457 Deferred Compensation Plan Expedited Enrollment/Waiver SFN 54362. **All new hires must complete this form either electing to participate in the deferred compensation plan or waive their rights to PEP.** Current employees may also use this form if they prefer to take advantage of the expedited option at the minimum contribution amount. **A completed, signed form will be returned to payroll to authorize a reduction in the employee wages of \$25.00 for the month as directed on the form.** If the employee chooses to make more than the minimum contribution or would like their minimum contribution to go to a provider other than the NDPERS Companion Plan, they will need to complete the 457 Deferred Compensation Plan Enrollment/Change Form **SFN 3803**.

ELIGIBILITY

If the employee works a minimum of 20 hours per week for 20 or more weeks per year, is at least eighteen years of age, filling a permanent position that is regularly funded and not of limited duration, and is enrolled in the North Dakota Public Employees Retirement System, he/she must elect to participate or elect to **forfeit the right to the vested employer contributions** by waiving participation in the Portability Enhancement Provision.

By electing to enroll in the NDPERS Deferred Compensation Program through the employer at a minimum required monthly contribution of \$25.00, the employee automatically enrolls in the Portability Enhancement Provision (PEP) for the NDPERS Defined Benefit Retirement Plan. The member account in the NDPERS defined benefit retirement plan will automatically be credited with the percentage of the employer contribution to which the employee is entitled. To attain the maximum vesting in the employer contribution in the defined benefit retirement plan, (PEP), the employee may increase the contribution level by completing the 457 Deferred Compensation Plan Enrollment/Change Form **SFN 3803**.

If the employee does not elect to enroll in the deferred compensation plan at the time they are hired, they must sign the Waiver of Participation Section on the form and submit it to their payroll office within 30 days.

Employees immediately accrue employer contributions according to a vesting and contribution schedule (included on page 2 of the form). Employer contributions earned are credited monthly to the NDPERS member retirement account.

An employee should be enrolled **the first month of eligible employment**, even when hired subject to a probationary period. There is no maximum age limit applicable. **Instructions for completing the form are included as page 2 of the form.**

Employees are eligible to enroll in the deferred compensation plan at a later date and will vest in the employer's contribution beginning with the first deferred compensation plan contribution reported to NDPERS by the Employer.

Filing procedure: Original to NDPERS – A copy of the form will be returned to payroll by NDPERS.

ROLLOVER/TRANSFER TO THE 457 DEFERRED COMPENSATION PLAN
SFN 50177

(For provider to provider transfers or plan to plan rollovers)

Provider to Provider transfers may only be made from one NDPERS approved 457 Deferred Compensation Plan Provider to another approved NDPERS 457 Deferred Compensation Plan Provider.

Plan rollovers into the NDPERS 457 Deferred Compensation Plan are eligible rollovers if the funds are from other qualified plans and were pre-tax contributions. **Eligible qualified plans are listed on the Rollover/Transfer form.**

An eligible rollover may be made from an approved qualified plan to the NDPERS Defined Benefit Retirement Plan for the purchase of service credit in a “plan to plan” transfer. The rollover must be approved by NDPERS and is not a taxable distribution.

Transfers and/or rollovers are not subject to the annual deferred compensation contribution limits set forth by IRS Code Section 457.

Pursuant to the administrative agreement held with each provider company, and under federal Internal Revenue Code 457 (e)(16) transfer of funds must be a plan to plan transfer of funds.

A roll out or transfer of funds out of the NDPERS 457 Deferred Compensation Plan is not permitted unless the employee has separated from service and has satisfied the 30 day separation from service requirement.

<p>Please note that a request for transfer <u>will not</u> automatically stop deductions to the original provider company. A 457 Deferred Compensation Plan Enrollment/Change Form, SFN 3803, must be completed to cease contributions or begin contributions to a new company.</p>

REQUEST FOR DEMINIMUS DISTRIBUTION
SFN 52051

Participants that have not separated from service may apply for a deminimus distribution of their account if:

the total value of their deferred compensation assets (including all providers) is less than **\$5,000**,
the participant **has not** made any deferrals to the plan in the preceding twenty-four months,
the participant **has not** previously received a deminimus distribution from the plan.

CATCH-UP WORKSHEET/CERTIFICATION

SFN 51501

Certain participants may obtain authorization from the NDPERS office to utilize the regular or normal “catch-up” provision of the plan. Eligibility criteria for the catch-up provision include:

- Participant must have been eligible for the state’s deferred compensation program, but did not defer the maximum amount allowed in each calendar year of eligibility.
- Participant is within three calendar years of attaining eligibility for an unreduced retirement benefit which is either age 65 or meeting the Rule of 85, or the participant’s declared retirement date.
- Participant has not previously utilized the “catch-up provision” at any other time for any other plan.
- Participant is not utilizing the age 50 or older catch-up option.

The maximum catch-up deferral is the lesser of \$16,500 or as much of the maximum deferral established that has not been used for calendar years beginning after December 31, 1978.

The catch-up provision may be utilized for up to three consecutive years, but must not be used in the year the participant retires. Prior to implementing this provision, the participant must submit the Catch-Up Worksheet Certification to the NDPERS office and receive written approval from the authorized agent.

Part A

Complete all information requested. In addition, the participant must declare their “normal retirement age” by specifying the month and year they plan to retire. Age at retirement **must** fall within the range of ages for normal retirement. Provide “pick-up” information only if applicable. See “C” below for explanation.

Part B

- A. Beginning with Tax Year 1979, identify the tax year(s) the participant was employed by their current employer but did not contribute the maximum amount participant was eligible to defer.
- B. Gross earnings may be determined from participant’s W-2 Form issue by an eligible employer. Only wages paid as an employee of an eligible employer may be considered when determining gross earnings for purposes of the catch-up provision.
- C. If the employer participates in Employer Pick-up (makes contributions to employees’ retirement plan with pre-tax dollars) the percentage of pick-up should be placed in column “C” for all years starting with the pick-up year on the worksheet.
- D. Only for years Employer Pick-up applies, multiply the pick-up percentage (column “C”) as shown on the worksheet by the column “B” (gross annual salary), and enter the result in column “D”.
- E. The Adjusted Gross Annual Salary is determined by subtracting column “D” from column “B” and entering the result in column “E”.
- F. Determine the Annual Maximum Deferral.
- G. Enter any actual amounts deferred for each tax year. This can be determined from a payroll stub

or periodic statements issued by the investment firms.

- H. Add the amounts in column "G" from column "F" for each year to determine the under-utilized amount the participant is eligible to catch up. Do not include IRA contributions
- I. Add the amounts in column "H"

NOTE: If more space is needed to reflect under-utilization in the plan, use additional forms to provide the necessary information.