SUNGARD RELIUS EDUCATION

Fundamentals of 401(k) and Other Qualified Plans

June-July 2010

2010 FUNDAMENTALS OF 401(k) AND OTHER QUALIFIED PLANS

Understanding the Basics of DC Plans and 401(k) Plans

ARE YOU PREPARED?

As the financial markets continue to experience volatility, and discussion of retirement plan designs dominates among long-term investors, the 401(k) plan continues to be the most popular retirement plan design. Any legislative changes in the 401(k) plan rules will likely not take effect for a few years. In the meantime, the 401(k) industry continues to expand.

If you are adding staff for 2010, comprehensive and concise training is crucial to efficient use of staff time. If you are consolidating staff, a refresher of the qualified plan rules will help knowledgeable staff maintain the competitive edge. *Fundamentals* gives you no-nonsense answers to the basic retirement plan questions practitioners regularly face.

Fundamentals is a three-day course that combines a comprehensive study of defined contribution plan requirements with a thorough introduction to 401(k) plans. Knowledgeable, experienced attorney-speakers carefully examine the unique administrative and testing rules that are essential to 401(k) plan compliance. Case studies and slide presentation help simplify the complex rules and help you learn how these rules apply to "everyday" situations. *Fundamentals* provides the practical background that helps you work comfortably with 401(k) and other defined contribution plans.

WHO SHOULD ATTEND

For the novice qualified retirement plan practitioner interested in 401(k) plan operation, the program offers a wealth of practical and technical information. Experienced practitioners will find that the program provides an excellent review. *Fundamentals* is beneficial to anyone new to the industry, including the pension consultant, administrator, CPA, attorney, actuary, trust officer, or financial advisor. It is also especially suited for corporate HR, employee benefits, and payroll staff who provide retirement plan information to employees or who may work with third-party service providers.

The primary focus of the program is on the defined contribution plan rules, with an emphasis on 401(k) plan basics. It is a "must" for practitioners who want a complete understanding of the broad qualified plan rules in which 401(k) plans operate. Completion of this course prepares beginning practitioners for SunGard's two-day, *401(k) Plans: Beyond the Basics* course later this year, which focuses exclusively on 401(k) plans.

WHAT YOU'LL LEARN

- Eligibility and Vesting Rules
- Deduction and 415 Limits
- 401(k) Deferral Limits and Catch-ups
- Participant Loans
- Related Employer and Top-heavy Rules
- Coverage and Nondiscrimination Testing
- Roth Deferrals and 401(k) Taxation Issues
- 401(k) Plan Testing: ADP and ACP Tests
- 401(k) Distribution Restrictions; Hardships
- Safe Harbor 401(k) Plans
- Automatic Contribution Arrangements
- Distribution Requirements

SPEAKERS

Each program is conducted by one of SunGard's well-respected, experienced attorneys:

- Stephen W. Forbes, J.D., LL.M.
- Warren T. Marshall, J.D., LL.M.
- S. Derrin Watson, J.D., APM

Visit our Web site for complete bios on our speakers: **www.sungard.com/reliusfundamentals2010/speakers**.

OBJECTIVES

Upon completion of *Fundamentals of 401(k) and Other Qualified Plans* seminar, an attendee should understand:

- The basic definition and benefits of a "qualified" plan.
- The eligibility requirements for a qualified plan, the special requirements for a 401(k) plan, and the difference between a one-year of service and a two-years of service eligibility requirement design.
- The vesting alternatives for qualified plans.
- The cash-out rule and its application.
- The employer deduction limit (and be able to calculate the limit) for a qualified defined contribution plan.
- The 415 limits and what items constitute "annual additions" for 415 purposes.
- The ratio percentage coverage test and the effect of "mandatory disaggregation" in a 401(k) plan.
- The nondiscrimination testing requirements for a defined contribution plan and the requirements for a uniform allocation safe harbor plan and for an "integrated" plan.
- The special nondiscrimination tests (ADP and ACP) that apply to a 401(k) plan.
- The definition of a safe harbor 401(k) plan and the benefits of a safe harbor design.
- The difference between a "traditional" safe harbor plan, a QACA (qualified automatic contribution arrangement) safe harbor plan, and an EACA (eligible automatic contribution arrangement).
- The definition of a controlled group of corporations, "businesses under common control," and an A-organization "affiliated service group."
- The definition of a top-heavy plan and how the top-heavy rules impact a 401(k) plan.
- A participant's rollover options and the effect of the mandatory rollover requirements.
- The special 401(k) distribution restrictions, including the hardship distribution requirements.
- The definition of Roth deferrals and the requirements for a "qualified" distribution from a Roth 401(k) plan.
- The requirements for a qualified domestic relations order (QDRO) and how a plan should administer a QDRO.
- The distribution requirements that apply to a plan subject to the joint and survivor annuity requirements.
- The definition and consequences of a prohibited transaction.
- The components of the IRS plan correction program and correction methods for specific 401(k) errors.

AGENDA

Day One

8:00 a.m.

Registration check-in/Coffee and Danish

8:30 a.m.

Types of Qualified Plans

Factors to consider in plan selection, basic 401(k) concepts and qualification requirements; Roth 401(k) plans; automatic enrollment: 401(k) plans and automatic contribution arrangements (ACAs).

Eligibility and Participation

Minimum age and service requirements; excluding employees; dealing with part-time employees; entry dates; time of participation; timing of salary reduction agreements; break-in-service rules; two-year/100% vesting.

Elective Deferral Limits

Limitations; catch-up contributions; excess deferrals; correction/taxation reporting.

11:45 a.m.

Lunch (on your own)

1:00 p.m.

Vesting

Minimum vesting standards; cash-outs/buy backs; forfeiture considerations; permitted vesting schedules after PPA; changes in vesting schedules; effect of plan termination; protected distribution options: the anti-cutback rule.

Coverage Testing

Identifying highly compensated employees; ownership attribution; 401(k) plan disaggregation; ratio percentage test; testing plan components; effect of 1,000-hour/ last day accrual requirements; correcting coverage failures.

4:30 p.m.

Adjournment

Day Two

8:00 a.m.

Coffee and Danish

8:30 a.m.

Nondiscrimination Testing/Plan Allocations

Section 401(a)(4) requirements; testing alternatives; nondiscriminatory compensation; annual compensation limitation; permitted disparity; rights of reemployed veterans; HEART Act requirements; allocating trust earnings and forfeitures; identifying discriminatory rights/features.

401(k) Plan Nondiscrimination Testing

ADP and ACP testing mechanics; correcting test failures; "otherwise excludible employee" rules; amendment timing rules; excise taxes; "eligible" automatic contribution arrangements (EACAs); discriminatory match rate; QNECs and QMACs; SIMPLE plans.

11:45 a.m.

Lunch (on your own)

1:00 p.m.

Safe Harbor 401(k) Plans/QACAs

Benefits and designs; employer contribution alternatives; ADP *vs.* ACP safe harbor; safe harbor notice; late adoption option; exiting the safe harbor; "qualified" automatic contribution arrangements (QACAs).

Employer Contribution

Deduction limitations; includible compensation; separate deductibility of 401(k) deferrals; deductions for the self-employed; employer excise taxes.

415 Limits

Annual addition limitations; post-severance compensation; crediting annual additions; correction of excess amounts.

Related Business Organizations

Controlled group considerations (definitions, coverage, contributions, acquisitions); affiliated service groups; leased employees.

4:30 p.m.

Adjournment

Day Three

8:00 a.m.

Coffee and Danish

8:30 a.m.

Top-heavy Plans

Determination and effect of top-heavy status; satisfying the top-heavy minimum in a 401(k) plan; safe harbor 401(k) plan exemption; key employee definitions; top-heavy minimum contribution.

Plan Distributions

General taxation of distribution rules; early distribution tax; required minimum distribution (RMD) rules; handling "lost" participants; 401(k) restrictions; hardship distributions; qualified reservist distributions; Roth 401(k) distributions; eligible rollover distributions; automatic IRA rollover requirements; rollover to Roth IRA; required timing of plan distributions; participant loans; deemed distributions; participant and spousal consent requirements; non-spousal beneficiary rollovers; qualified domestic relations orders (QDROs) – and other new PPA, HEART Act, and WRERA rules.

11:45 a.m.

Lunch (on your own)

1:00 p.m.

Plan Distributions (continued)

Prohibited Transactions/Fiduciary Responsibility/401(k) Assets

"Late" deposit of deferrals; penalties; participant direction of investment; default investment protection; "disqualified person" definition; direct and indirect prohibited transactions; excise tax calculation; statutory exemptions; participant loan issues.

Correcting Administration Errors/Government Reporting

IRS correction program (EPCRS); correcting common 401(k) plan errors, filing requirements (Forms 5500 and 1099-R) and deadlines; correcting late filings.

4:00 p.m.

Adjournment

CONTINUING PROFESSIONAL EDUCATION (CPE)

21.5 hours CPE credit based on a 50-minute hour*

18 hours CE/CLE credit based on a 60-minute hour*

**Actual credit hours granted may vary. Final decision rests with the governing body. There are no prerequisites or other advance preparation for this beginning to intermediate level course*

SunGard maintains CE sponsorship status with the Joint Board for the Enrollment of Actuaries, ASPPA, IRS Enrolled Agents program, IRS Enrolled Retirement Plan Agent (ERPA) program, NASBA, and HRCI for SHRM professionals. Members of these groups may report CE credit directly to the entities. Pre-approval of programs is not required.

SunGard pension seminars and conferences are designed to be acceptable to most other professional organizations for continuing professional education credit, including CFP, the ICB (for CRSP and CFTA), state bar associations, CPA boards, InFRE, and PACE. Members governed by these entities may be required to submit the program to them for approval before reporting their CE credit hours. Contact your governing body for details.

Generally, program approval requests for CLE will be submitted by SunGard for credit in the states where the programs are being conducted. In other states when possible, SunGard will submit for CLE program approval when sponsor-only filing is required and only upon request by an attendee. SunGard needs at least six weeks' notice prior to the program; credit is subject to approval by the appropriate jurisdiction. Attendees will bear CE approval fees in those jurisdictions imposing per attendee fees.

For CLE in states where sponsor filing is NOT required, attendees themselves are responsible for submitting the program for approval, and for program approval fees, as well as fees for reporting CE credit hours, and any other associated fees.

Because of the administrative requirements of state insurance accrediting agencies, **we will not be able to obtain CE approval for insurance professionals.**

SunGard is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. Web site: www.nasba.org.

This program has been approved for 18 recertification credit hours toward PHR or SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage – www.hrci.org.

For more information about Continuing Education, call 800-326-7235, Ext. 4031.

Rave Reviews

from *Fundamentals* program evaluations

"Being new in the industry, I gained a lot of information."
Third Party Administrator, Texas

"I felt the seminar was very informative and presented very well."
Accountant, Georgia

"I have worked in retirement plans for 2 years and this helped me to understand the rules & regs for what I have been doing the past 2 years."
Accountant, Georgia

"It helped in backing up info I already had from my work experience."
Third Party Administrator, Louisiana

"[The program gave] a clearer understanding on everyday operations in the workplace regarding employee benefits."
Benefits Administrator, West Virginia

"Made me more familiar with the testing process since I work on administration level."
Trust Officer, Alabama

"[The speaker] is a great presenter! Very knowledgeable and a great communicator."
Attorney, Alabama

TAKING THE ASPPA OR NIPA EXAMS?

Fundamentals is the ideal tool to help you prepare if you are new to the area of retirement plan concepts and terminology. This comprehensive study of retirement plans is presented in a logical and easy-to-understand manner. Leave confident and better prepared for the exams you may face on the way to becoming a retirement plan specialist.

DATES AND LOCATIONS

Dates and Locations are subject to change. Please visit our Web site to confirm that these are firm before making travel plans. Go to ***www.sungard.com/reliusfundamentals2010/accommodations****; select the program name for a list of dates/cities.*

City	Date	Location
Philadelphia	June 2-4	Crowne Plaza Valley Forge* 260 Mall Boulevard King of Prussia, PA 610-265-7500
Dallas	June 9-11	Crowne Plaza Suites - Dallas 7800 Alpha Road Dallas, TX 972-233-7600
Denver	June 9-11	Sheraton Denver Tech Center Hotel 7007 S. Clinton St. Greenwood Village, CO 303-799-6200
Atlanta	June 16-18	Cobb Galleria Centre* Two Galleria Parkway Atlanta, GA 770-955-8000 *Accommodations:* *Sheraton Suites Galleria** *2844 Cobb Parkway S.E.* *Atlanta, GA* *770-955-3900 or 888-627-7047* *Ask for SunGard rate, based on availability.*
Irvine	June 16-18	Atrium Hotel 18700 MacArthur Boulevard Irvine, CA 949-833-2770
Minneapolis	June 23-25	Crowne Plaza Bloomington 5401 Green Valley Drive Bloomington, MN 952-831-8000
Kansas City	July 14-16	DoubleTree Hotel Kansas City Corporate Woods* 10100 College Blvd. Overland Park, KS 913-451-6100 or 800-222-8733
Seattle	July 14-16	SpringHill Suites Seattle Downtown 1800 Yale Avenue Seattle, WA 206-254-0500 or 888-287-9400
Chicago	July 21-23	DoubleTree Hotel Chicago - Oak Brook 1909 Spring Road Oak Brook, IL 630-472-6000 Reservations: 800-222-8733
Charlotte	July 28-30	Charlotte Hilton Executive Park 5624 Westpark Drive Charlotte, NC 704-527-8000 or 800-445-8667

Hotels may reserve a limited number of accommodations for seminar registrants until four weeks prior to the program.
Hotels without a room block are indicated by (*). Registrants needing overnight accommodations must make room reservations directly with the hotel unless specified otherwise. Be sure to mention the SunGard program to obtain the group rate, if available. For other accommodations in the vicinity, please contact the host hotel guest services desk or your travel agent.

REGISTRATION Copy as needed to register additional persons
FUNDAMENTALS OF 401(k) AND OTHER QUALIFIED PLANS 2010

THREE WAYS TO REGISTER:

1. **ONLINE:** www.relius.net/products/seminarspension.asp – Fastest way to register!
2. **MAIL:** SunGard • ATTN: Order Processing-Accounting • P.O. Box 47470, Jacksonville, FL 32247
3. **FAX:** 904-399-0519 (24 hours a day)

Note: Online registration will not be accessible within three (3) business days of program date.

REGISTRATION FEE: ❑ **EARLY REGISTRATION: $745*** ❑ **STANDARD REGISTRATION: $775**

Early Registration:** Payment and registration received ***21 days or more prior to the program date.

Standard Registration: Payment and registration received ***less than 21 days*** prior to the program date.

City: ______________________ Date: __________ Seminar Fee $: __________

Volume Registration Discounts are available for 6 or more registrants from the same firm attending the same program and city. For more information, send an e-mail to **relius.education@sungard.com** or call 800-326-7235, Ext. 7918 or Ext. 4032.

The registration fee includes all seminar materials and food and beverage as stated in program agenda. The registration fee does not include other meals, lodging, transportation, or parking. Registrations are confirmed by e-mail. Please note: While walk-in registrations are accepted, be sure to call before the program to confirm that space and course materials are available. Recording of the program is NOT permitted. If you have questions or require special assistance, send an e-mail to **relius.education@sungard.com**.

REGISTRANT INFORMATION: ❑ Please check if new address, phone or fax. Please print or type:

❑ Mr. ❑ Mrs. ❑ Ms. Full Name: ______________________ Name for Badge: __________

Client Acct. #: __________ Firm Name: ______________________ Profession: __________

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PAYMENT METHOD Check or credit card information must accompany this form:

❑ Enclosed is a check payable to **SunGard Business Systems, LLC** Please charge: ❑ Mastercard ❑ VISA ❑ American Express

Seminar Discount Code (if any): ______________________ **Seminar fee: $** __________

CT, HI, NM, SD, WV, CN Residents add applicable **sales tax: $** __________ **Total Due: $** __________

Card Number: ______________________ Exp. Date: __________

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Cancellation/Transfer Policy: All requests must be in writing. Full refund of program registration fee, less a $50 administrative fee will be made for cancellations received at least 10 business days prior to the program. No refund for cancellations received later than 10 business days prior to the program. Transfer requests (within the same program only) must be received at least 10 business days prior to program date, and will result in a $25 administrative fee. Substitutions may be allowed with at least five business days advance notice. Seminar requests, questions, or concerns may be e-mailed to **relius.education@sungard.com**.