



# INSTRUCTIONS FOR COMPLETING THE SAFE HARBOR NOTICE

## STEP 1. PAGE 1 OF THE SAFE HARBOR NOTICE

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- "FROM:"** Type or print the name of your Plan, as found on line 1(a) Name of Employer Plan in the Adoption Agreement.
- "PLAN SPONSOR:"** Type or print the name of your firm. See also the Adoption Agreement line 2(a) Employer Name.

## STEP 2. PAGE 1 OF THE SAFE HARBOR NOTICE

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### 1. CONTRIBUTIONS

**B. Safe Harbor Employer Contributions.** In the steps below, you will need to enter the applicable Safe Harbor Contribution and formula that is in effect for the Plan. This may be found in section 12 of the Adoption Agreement.

- 1(a) Safe Harbor Nonelective Employer Contribution.** If this contribution type was selected in section 12(a)(1)(C) of the Adoption Agreement, check box 1(a) in the Safe Harbor Notice. In the blank, type or print the contribution percentage that was elected.
- 1(b) Safe Harbor Nonelective Employer Contribution to Another Plan.** If section 12(a)(4) of the Adoption Agreement was checked and completed, the firm has chosen to credit the Safe Harbor Nonelective Employer Contribution to a plan other than the Plan to which 401(k) Elective Contributions are made. Check box 1(b) in the Safe Harbor Notice and type or print the name of the other plan in the blank.
- 2. Safe Harbor Matching Contribution.** If this contribution type was selected in section 12(a)(1)(A) or 12(a)(1)(B) of the Adoption Agreement, you must check box 2 in the Safe Harbor Notice. You must also check either box 2(a) or 2(b).
  - 2(a) "Basic" Safe Harbor Matching Contribution.** If your firm makes a Basic Safe Harbor Matching Contribution, as indicated in section 12(a)(1)(A) of the Adoption Agreement, you must check box 2(a) in the Safe Harbor Notice.
  - 2(b) "Enhanced" Safe Harbor Matching Contribution.** If your firm makes an Enhanced Safe Harbor Matching Contribution, as indicated in section 12(a)(1)(B) of the Adoption Agreement, you must check box 2(b) in the Safe Harbor Notice and, in the blank, type or print the maximum percentage of Compensation that will be matched.

## STEP 3: PAGE 2 OF THE SAFE HARBOR NOTICE

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### 3. VESTING

You must check the applicable vesting schedule (A, B, C, D or E), according to your firm's election in Adoption Agreement section 5(b)(1) *Vesting Schedule*. If your firm had elected vesting schedule "D," fill in the blank next to box III.D. with the formula elected under vesting schedule "D" in your Adoption Agreement. If 5(b)(1) is not elected, vesting schedule "B" applies to your Plan and box B should be checked on the Safe Harbor Notice.

## STEP 4: PAGE 3 OF THE SAFE HARBOR NOTICE

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### 4. DISTRIBUTIONS

To make the appropriate elections in the Safe Harbor Notice, see Adoption Agreement section 15. IN-SERVICE WITHDRAWALS.

- On the blank underscore in the **Safe Harbor Notice section 4.C.**, type or print the age (if any) you find on the underscore in Adoption Agreement 15(c)(1) *Prior to Age 59½ Election*. Type or print 59½ if there is no age in the blank in Adoption Agreement 15(c)(1) *Prior to Age 59½ Election*.
- In **Safe Harbor Notice section 4D.**, check the box only if there is an election in Adoption Agreement 15(d) *Withdrawals After 5 Years of Plan Participation*.
- In **Safe Harbor Notice section 4.E.**, check the box only if there is an election in Adoption Agreement 15(e) *Withdrawals After 2 Years of Plan Accumulation*.
- In **Safe Harbor Notice section 4.F.**, check the box only if there is an election in Adoption Agreement 15(a) *Hardship Withdrawals* or 15(b) *401(k) Hardship Withdrawals*, or both.

### 5. CONTACT INFORMATION

You must complete A, B, C, and D.

- To complete B. **Three Digit Employer Plan Number**, see Adoption Agreement line 1(c).
- To complete C. **Employer Tax ID Number**, see the last line in Adoption Agreement section 2(a) EMPLOYER.

## STEP 5: PAGE 4 OF THE SAFE HARBOR NOTICE

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**You must attach an additional fourth page to the Safe Harbor Notice that describes:**

- The frequency with which a participant in your firm's Plan may change his or her contributions each year,
- Any required advance notice if a participant in your firm's Plan would like to change his or her contributions, and
- Any other administrative requirements that apply to employee elections to contribute to the Plan.

**Note:** You may substitute a copy of your current salary reduction agreement if it includes this information.

----- **NOTE: THIS NOTICE PROCESS IS NOT COMPLETE UNTIL STEP 6 IS COMPLETED** -----

## STEP 6: DISTRIBUTE THE SAFE HARBOR NOTICE AND ADDITIONAL PAGE 4 TO PARTICIPANTS

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**You must distribute these materials at least 30 days before the beginning of the plan year.** (For example: For Plan Years ending on December 31, this Notice must generally be distributed no later than December 1 of each year.) You must also provide a Safe Harbor Notice to eligible employees within 90 days of the date that he or she will enter the Plan as a participant, but not later than such entry date. If you do not distribute these materials by the deadline, your Plan may not satisfy the Safe Harbor requirements, and corrective action may be required to maintain the qualified status of the Plan.