



Please print pages 1 through 8 of this document, complete and return all pages. If pages are missing this form will be rejected by Empower.

### In-Service Withdrawal Request 401(k) Plan

The Supplemental Pension/401(k) Plan to IBEW LU 1141 Retirement and 401(k) Plan

780838-01

#### When would I use this form?

**When I am requesting a withdrawal and I am still a member with the plan sponsor sponsoring this Plan.**

- Please note that this withdrawal request may be subject to an administrative review period prior to processing and the investments in your account will not be sold until the withdrawal is processed. The administrative review period may take several business days. Note that your investments may fluctuate with market performance so you may want to redirect or diversify those investments prior to making a withdrawal request. If you initiate a fund transfer during the administrative review period, it may delay the processing of your withdrawal. If you want to make changes to the investments in your account prior to withdrawal, please contact Service Provider or access your account online.

#### Additional Information

- For purposes of this form, the terminology 'Withdrawal' is the same as 'Distribution'.
- By logging into my account on the website at [empowermyretirement.com](http://empowermyretirement.com), I may track the status of this withdrawal request.
- For questions regarding this form, refer to the attached Participant Withdrawal Guide ("Guide"), visit the website at [empowermyretirement.com](http://empowermyretirement.com) or contact Service Provider at 1-833-569-2433 or Becky at 405-310-7028.
- Return Instructions for this form are in Section I.
- Use black or blue ink when completing this form.

#### A What is my personal information?

(Continue to the next section after completing.)

Account extension, if applicable, identifies funds transferred to a beneficiary due to participant's death, alternate payee due to divorce or a participant with multiple accounts.

Account Extension

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U.S. Social Security Number or U.S. Taxpayer Identification Number  
(Must provide all 9 digits)

Last Name

First Name

M.I.

Date of Birth (mm/dd/yyyy) **Required**

(The name provided MUST match the name on file with Service Provider.)

Married  Unmarried

Mailing Address on My Account

( )

Daytime Phone Number

City

State

Zip Code

( )

Alternate Phone Number

- I have confirmed the address on my account by accessing my account online at [empowermyretirement.com](http://empowermyretirement.com). If the address on my account does not match the address provided above, there will be processing delays.
- If I require an address change, I need to obtain and submit a Personal Information Change form found on the above website or I need to contact Service Provider at 1-833-569-2433.
- It is my responsibility to also update my address with the plan sponsor.
- Once the address is updated, I may submit this form with my new address entered above.

By providing my mobile number and/or my email address below, I am consenting to receive text messages and/or emails related to this request.

( )

Mobile Phone Number - Standard data fees and text messaging rates may apply based on my carrier.

Email Address

#### Select One (Required):



I am a U.S. Citizen or U.S. Resident Alien.

I am a Non-Resident Alien or Other. (Complete 'Non-Resident Alien or Other Certification' section.)

**Required** - Provide Country of Residence: \_\_\_\_\_

#### B What is my reason for this withdrawal?

(Continue to the next section after completing.)

I am Age 59½ or older

Last Name \_\_\_\_\_

First Name \_\_\_\_\_

M.I. \_\_\_\_\_

U.S. Social Security Number \_\_\_\_\_

**C What type of withdrawal and how much am I requesting?**

(Continue to the next section after completing.)

100% withdrawal will be the Maximum Amount Available.

- Payable to Me as a One-time Withdrawal - If a percentage or dollar amount is not provided, 100% of the account balance will be liquidated.**  
 Amount \_\_\_\_\_ % OR \$ \_\_\_\_\_ Contribution Source: \_\_\_\_\_  
 Net Amount (The amount I will receive after applicable income taxes and fees are withheld.)  
 Gross Amount (The amount I will receive will be less than the amount requested after applicable income taxes and fees are withheld.)
- Rollover to an IRA or an Eligible Retirement Plan as a One-time Withdrawal If a percentage or dollar amount is not provided, 100% of the account balance will be liquidated.**  
 Eligible Retirement Plan:  401(a)  401(k)  403(b)  Governmental 457(b)  
 Amount \_\_\_\_\_ % OR \$ \_\_\_\_\_  
 Traditional IRA Amount \_\_\_\_\_ % OR \$ \_\_\_\_\_  
 Roth IRA Amount \_\_\_\_\_ % OR \$ \_\_\_\_\_ (Taxable event - Subject to ordinary income taxes)  
 My after-tax contributions will be included in my rollover, unless I mark this box:  No, pay my after-tax contributions to me.
- Periodic Installment Payments (This option is only available if I am 100% vested. Complete the information below.)**  
 I am requesting to establish a new Periodic Installment Payment.  
 I am making a change to an existing Periodic Installment Payment.  
 I am requesting a one-time withdrawal payable to me in the amount of \$ \_\_\_\_\_ or \_\_\_\_\_ % and at the same time I am requesting this Periodic Installment Payment.  
 Net Amount (The amount I will receive after applicable income taxes and fees are withheld.)  
 Gross Amount (The amount I will receive will be less than the amount requested after applicable income taxes and fees are withheld.)  
 First Payment Processing Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ (1st - 28th only)  
 Frequency - Select One:  Monthly  Quarterly  Semi-Annually  Annually  
 Payment Type - Select One:  Amount Certain (Gross Amount Only) \$ \_\_\_\_\_  
 Period Certain (Specific Number of Years) \_\_\_\_\_  
 Interest Only Payments, Converted to Required Minimum Distribution at the applicable age (Must have at least one fixed investment option and attach copy of Birth Certificate or Driver's License)

**D If I am requesting a Rollover, To whom do I want my withdrawal payable?**

(Continue to the next section after completing.)

Do not complete if requesting Payable to Me.

- Proceeds will be made payable to the Trustee/Custodian/Provider listed below and will be sent to me at the address on my account.
- This is an irrevocable election and I am responsible for forwarding these payments to the new Trustee/Custodian/Provider in a timely manner.
- Any attempt to provide an address for the new Trustee/Custodian/Provider in any other address section will not be acted upon.
- If I have after-tax assets and would like to direct my after-tax contributions to a Rollover payee other than the one listed below, I must attach a letter of instruction listing the Trustee/Custodian/Provider and account number and must include the type of payee, my name, social security number, signature and date.

Name of Trustee/Custodian/Provider - Required (To whom the check is made payable) \_\_\_\_\_

Account Number \_\_\_\_\_

Retirement Plan Name (if applicable) \_\_\_\_\_

**E How do I want my proceeds delivered?**

(Continue to the next section after completing.)

Select a delivery method for each set of proceeds, if applicable. Delivery of payment is based on completion of the withdrawal process, which includes receipt of a complete request in good order and additional/required information from the plan sponsor.

- If I would like to make a change to what I previously selected, I must cross out and initial the change(s). If I do not initial all changes, all proceeds will be sent by United States Postal Service (USPS) regular mail.
- Rollover Delivery Options**
- Rollover proceeds will be made payable to the Trustee/Custodian/Provider listed above and will be sent to me at the address on my account.
  - I must choose from the 2 delivery options listed below. If I do not select a delivery option for my rollover proceeds, they will be sent by USPS regular mail.
- Check by USPS Regular Mail**
- Estimated delivery time is up to 5 business days.
  - No additional charge.

Last Name

First Name

M.I.

U.S. Social Security Number

**E How do I want my proceeds delivered?**

(Continue to the next section after completing.)

Select a delivery method for each set of proceeds, if applicable. Delivery of payment is based on completion of the withdrawal process, which includes receipt of a complete request in good order and additional/required information from the plan sponsor.

**Check by Express Delivery**

- Estimated delivery time is 1-2 business days.
- A non-refundable charge of up to \$30.00 will be deducted, in addition to any withdrawal fees, for each transaction.
  - For example, if I elected to make a full withdrawal with a portion payable to me and the remainder rolled over to an eligible plan, and I have after-tax money sources, there will be 3 different transactions and I may be charged up to a total of \$90.00 for the Express delivery fees.
- Available for delivery, Monday - Friday, with no signature required upon delivery.
- If address is a P.O. Box, check will be sent by USPS Priority Mail and estimated delivery time is 2-3 business days.

**Payable to Me Delivery Options**

- I must choose from the delivery options listed below. If I do not select a delivery option for my other proceeds, they will be sent by USPS regular mail.

**Check by USPS Regular Mail**

- Estimated delivery time is up to 5 business days.
- No additional charge.

**Check by Express Delivery**

- Estimated delivery time is 1-2 business days.
- A non-refundable charge of up to \$30.00 will be deducted, in addition to any withdrawal fees, for each transaction.
  - For example, if I elected to make a full withdrawal with a portion payable to me and the remainder rolled over to an eligible plan, and I have after-tax money sources, there will be 3 different transactions and I may be charged up to a total of \$90.00 for the Express delivery fees.
- Not available for Periodic Installment Payments.
- Available for delivery, Monday - Friday, with no signature required upon delivery.
- If address is a P.O. Box, check will be sent by USPS Priority Mail and estimated delivery time is 2-3 business days.

**Electronic Deposit (ACH) to the bank account on file** Call Empower at 1-833-569-2433 to set up Bank in the Empower system. I have an existing ACH that has been on file for at least fifteen (15) days and I wish to use it for this withdrawal request. If my ACH has not been established for at least 15 days, a check will be sent to my address on file.

Estimated delivery time is 2-3 business days

No additional charge

Not available for Direct Rollovers

Available for Periodic Installment Payments

If I have requested a periodic installment payment and my first payment processing date does not allow for the 10 day pre-notification process, I understand that my first payment will be sent by check to my address on my account.

Complete the information below in order to properly identify the ACH account.

**If the bank information is incomplete or illegible, then a check will be mailed to the address on my account to avoid any delays in processing.**

By entering banking information, I authorize Service Provider to access records from public and proprietary sources in order to validate that I am the owner of the bank account. This process will not affect my credit.

**Bank Information**

Bank Account	Bank or Financial Institution Name
Nickname (Optional)	
Last 4 digits of the Bank Account Number	

Capstone Retirement Services LLC will charge a one time distribution fee of \$75.00 for processing this request.

Last Name

First Name

M.I.

U.S. Social Security Number

<b>F</b>	<p><b>Non-Resident Alien or Other Certification</b> <span style="float: right;"><i>(Continue to the next section after completing.)</i></span></p> <p><i>Complete only if I indicated I am a non-resident alien or other under Section A of this form.</i></p> <hr/> <p><b>Do not complete if U.S. Citizen or U.S. Resident Alien was indicated in Section A of this form.</b></p> <p>Under penalty of perjury, if I checked Non-Resident Alien or Other in Section A of this form, my signature certifies that:</p> <ul style="list-style-type: none"> <li>• I am the individual that is the beneficial owner of all the income to which this form relates or is using this form to document myself for chapter 4 purposes.</li> <li>• I am not a U.S. person.</li> <li>• The income to which this form relates is:             <ol style="list-style-type: none"> <li>a. not effectively connected with the conduct of a trade or business in the United States,</li> <li>b. effectively connected but is not subject to tax under applicable income tax treaty, or</li> <li>c. the partner's share of a partnership's effectively connected income.</li> </ol> </li> <li>• I am a resident of the treaty country listed below under the "Claim of Tax Treaty Benefits" (if any) within the meaning of the income tax treaty between the United States and that country.</li> <li>• I agree that I will submit a Form W8-BEN within 30 days if any certification made on this form becomes incorrect.</li> </ul> <p><b>Identification of Beneficial Owner</b></p> <p>Country of citizenship _____ Foreign tax identifying number _____</p> <p>Permanent resident address (<i>street, apt. or suite no., or rural route</i>) <b>Do not use P.O. Box or in-care of address</b> _____</p> <p>City or town, state or province. Include postal code where appropriate. _____ Country _____</p> <p>Mailing Address (<i>if different from above</i>) _____</p> <p>City or town, state or province. Include postal code where appropriate. _____ Country _____</p> <p><b>Claim of Tax Treaty Benefits</b> (<i>for chapter 3 purpose only</i>)</p> <p>I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.</p> <p><b>Special rates and conditions</b> (if applicable): The beneficial owner is claiming the provisions of Article and paragraph _____ of the treaty identified on the line above to claim a _____% rate of withholding on (specify type of income): _____</p> <p>Explain the additional conditions in the Article and paragraph the beneficial owner meets to be eligible for the rate of withholding: _____</p>
<b>G</b>	<p><b>How will my income taxes be withheld?</b> <span style="float: right;"><i>(Continue to the next section after completing.)</i></span></p> <p><i>Not applicable if requesting a Rollover</i></p> <hr/> <p>I should refer to and <b>read the attached 402(f) Notice of Special Tax Rules on Distributions and the Guide</b>, as well as information from the Department of Revenue for my state of residence.</p> <p><b>I must attach IRS Form W-4P or IRS Form W-4R and/or my State Income Tax withholding form to make tax elections when required.</b> In the event these forms are required for my withdrawal and not submitted, or in the event my withholding election(s) below are left blank or do not comply with the applicable Federal and State regulations, Service Provider will withhold taxes from this withdrawal in accordance with applicable Federal and State regulations.</p>

Last Name \_\_\_\_\_

First Name \_\_\_\_\_

M.I. \_\_\_\_\_

U.S. Social Security Number \_\_\_\_\_

**G How will my income taxes be withheld?***(Continue to the next section after completing.)**Not applicable if requesting a Rollover***Federal Income Tax****Periodic installment payments lasting longer than 10 years:**

- For your federal income tax withholding election, unless you elect out of withholding below, or otherwise complete the IRS Form W-4P (please go to [irs.gov](http://irs.gov) and enter *Form W-4P* into the search bar or call 1-800-TAX-FORM (829-3676)), federal income tax will be withheld as if you are single with no adjustments. If you choose to make an alternate income tax withholding election, then you must complete and attach the IRS Form W-4P to this Withdrawal Form.

I elect not to have federal income tax withheld (must have U.S. residence address on file).

- I understand that I am still liable for the payment of federal income tax on the taxable amount. I also understand that I may be subject to tax penalties under the estimated tax payment rules if my payments of estimated tax and withholding, if any, are not adequate.

**Non-periodic installment payment, Rollover eligible payments or periodic installment payments that are scheduled for less than 10 years:**

- For your federal income tax withholding election, unless you elect out of withholding below, or otherwise complete the IRS Form W-4R (please go to [irs.gov](http://irs.gov) and enter *Form W-4R* into the search bar or call 1-800-TAX-FORM (829-3676)), federal income tax will be withheld at a rate of 10% for non-periodic installment withdrawals. For an eligible rollover withdrawal, the default withholding rate is 20%. For eligible rollover withdrawals, **you are not allowed to opt-out of withholding**, but you may choose a rate greater than 20% by completing Form W-4R. If you choose to make an alternate income tax withholding election, then you must complete and attach Form W-4R to this Withdrawal Form.

I elect not to have federal income tax withheld (NOT AVAILABLE FOR ROLLOVER ELIGIBLE WITHDRAWALS, and you must have U.S. residence address on file).

- I understand that I am still liable for the payment of federal income tax on the taxable amount. I also understand that I may be subject to tax penalties under the estimated tax payment rules if my payments of estimated tax and withholding, if any, are not adequate.

**State Income Tax**

- State Income Tax withholding is mandatory in some states and will be withheld regardless of any election below. I would like **additional** State Income Tax withholding:

\_\_\_\_\_ % or \$ \_\_\_\_\_

*(This is in addition to any mandatory State Income Tax withheld based on the reason and type of withdrawal.)*

- Certain states allow an election for no State Income Tax withholding depending on the reason and type of withdrawal I have selected. For these states only, State Income Tax will be withheld unless I elect otherwise below.

If the checkbox is not marked below, I choose to have State Income Tax withheld from my withdrawal. I would also like to have **additional** State Income Tax withholding:

\_\_\_\_\_ % or \$ \_\_\_\_\_

*(This is in addition to any elective State Income Tax withheld based on the reason and type of withdrawal.)*

Do not withhold State Income Tax *(if election is permitted and I have attached the proper election form if required by my state).*

- Certain states do not require mandatory State Income Tax withholding but allow to elect State Income Tax withholding depending on the reason and type of withdrawal I have selected.

I would like State Income Tax withheld - **Optional** State Income Tax withholding:

\_\_\_\_\_ % or \$ \_\_\_\_\_

*(If this optional income tax election is permitted. I also have attached the proper income tax election form if required by my state to elect this optional withholding.)*

**H Signatures and Consent** *(Signatures must be on the lines provided.)**(After receiving ALL required signatures, continue to the next section.)***My Consent** *(Please sign on the 'My Signature' line below.)*

I acknowledge that I have read, understand and agree to all pages of this In-Service Withdrawal Request, the Participant Withdrawal Guide and the 402(f) Notice of Special Tax Rules on Distributions and affirm that all information that I have provided is true and correct. I understand the following:

- It is my responsibility to ensure that this election conforms with all applicable provisions of the Internal Revenue Code (the "Code") and, if applicable, that the Plan into which I am rolling money over will accept the dollars.
- I am liable for any income tax and/or penalties assessed by the IRS and/or state tax authorities for any election I have chosen.
- Once a payment has been processed, it cannot be changed or reversed.
- In the event that any section of this form is incomplete or inaccurate, Service Provider may not process the transaction requested on this form and may require a new form or that I provide additional or proper information before the transaction can be processed.
- Funds may impose redemption fees on certain transfers, redemptions or exchanges if assets are held less than the period stated in the fund's prospectus or other disclosure documents. I will refer to the fund's prospectus and/or disclosure documents for more information.
- Under penalty of perjury, I certify that the U.S. Social Security number or U.S. Taxpayer Identification number I have provided in Section A is correct. I am a U.S. person if I marked the U.S. Citizen or U.S. Resident Alien box in Section A of this form.
- For at least 30 days after my receipt of the 402(f) Notice of Special Tax Rules on Distributions, I have the right to consider whether to consent to a withdrawal of the vested account balance or elect a direct rollover of any vested portion of the eligible rollover withdrawal. By signing this form less than 30 days after I received the 402(f) Notice of Special Tax Rules on Distributions, I affirmatively waive any unexpired portion of the 30 day period and affirmatively elect a withdrawal from the account pursuant to this In-Service Withdrawal Request form.
- Additional authentication may be necessary before my withdrawal is processed and/or payment released.**
- For a periodic installment payment request, I understand that the following fee(s) will be assessed:**
  - One-time \$50.00 set-up fee**
- My withdrawal may be subject to additional fees and/or loss of interest based upon my investment options, my length of time in the Plan and other possible considerations. If I have not been advised of the fees and risks associated with my withdrawal, I may contact Service Provider for a withdrawal quote at 1-833-569-2433.**

Last Name

First Name

M.I.

U.S. Social Security Number

**H Signatures and Consent** *(Signatures must be on the lines provided.)* *(After receiving ALL required signatures, continue to the next section.)*

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**My Consent** *(Please sign on the 'My Signature' line below.)*

Any person who presents a false or fraudulent claim is subject to criminal and civil penalties.

**My Signature** \_\_\_\_\_ **Date (Required)** \_\_\_\_\_

*A handwritten signature is required on this form. An electronic signature will not be accepted and will result in a significant delay.*

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**My Spouse's Consent** *(If applicable, please have the Spouse sign on the 'Spouse's Signature' line below.)*  
*Not Applicable if I am unmarried*

*If I am legally married, I must obtain my spouse's consent to request this withdrawal.*

**Spouse to complete:** I (*name of spouse*), \_\_\_\_\_, the Participant's spouse, have read and understand the withdrawal request. I understand that I can refuse to consent to the withdrawal request and that my consent cannot be revoked or withdrawn once given. I further understand and voluntarily consent that the withdrawal to be made will reduce any future benefit I may be entitled to. Being fully apprised of these facts, I hereby voluntarily consent to this withdrawal request.

**Spouse's Signature** \_\_\_\_\_ **Date (Required)** \_\_\_\_\_

*A handwritten signature is required on this form. An electronic signature will not be accepted and will result in a significant delay*

*The spouse's signature must be notarized by a Notary Public or witnessed by the participant's authorized Plan Administrator. If a Notary Public is used, the date of the spouse's signature on this form in the 'My Spouse's Consent' section must match the date of the Notary Public signature on the separate jurat or notarial certificate or in this section below. **Consent must be obtained no more than 180 days prior to the effective date of the original request in order to be effective. If your notary completes a separate jurat or notarial certificate, your spouse must still sign on the above spouse's signature line and enter the date on this form.***

**ATTENTION Notary Public:** Make sure that you have reviewed the notary requirements for your state. If your state requires a separate jurat or notarial certificate, please complete and attach to this request.

**We require that the following information must be included on the separate jurat or notarial certificate:** (1) name of document being notarized; (2) the plan name; (3) the plan number; and (4) participant's and spouse's names. Separate jurat or notarial certificates submitted that do not include this information will be rejected and will delay the withdrawal request. If your state does require a separate jurat or notarial certificate and you complete the section below, this statement of notary will be rejected and will delay the withdrawal request.

If your state does not require a separate jurat or notarial certificate, you may complete the notary section below.

**Statement of Notary** **NOTE: Notary seal must be visible.**

The consent to this request was subscribed and sworn *(or affirmed)*

State of \_\_\_\_\_ ) to before me on this \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_, by \_\_\_\_\_ **SEAL**

\_\_\_\_\_ )ss. **(name of spouse)** \_\_\_\_\_

County/Parish/Borough \_\_\_\_\_ proved to me on the basis of satisfactory evidence to be the person  
of \_\_\_\_\_ ) who appeared before me, who affirmed that such consent represents  
his/her free and voluntary act.

Notary Public's signature \_\_\_\_\_ My commission expires \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

*A handwritten signature is required on this form. An electronic signature will not be accepted and will result in a significant delay.*

Notary Public's full name \_\_\_\_\_ Telephone number \_\_\_\_\_

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**My Authorized Plan Administrator Signature** *(Please sign on the 'Authorized Plan Administrator Signature' line below.)*

This request is in compliance with the terms of the Plan and a written explanation of the tax rules and any Internal Revenue Service, Department of Labor or other notice requirements applicable to this request have been provided to the participant as required by law. The appropriate consent and waivers have been obtained by the authorized Plan Administrator and Service Provider is authorized to rely on the information provided on this request. I approve this withdrawal as it is presented on this form.

I certify that the Participant's accurate vesting percentage for each money source is listed below. *(Please be advised that balances may not exist in all money sources.)*

ERO 1 - Employer Pension \_\_\_\_\_ %

**If Spousal Consent notarization is not obtained, I have personal knowledge and hereby certify that this request was submitted and signed by the participant's spouse.**

I represent that I am an authorized signer on behalf of the above-named Plan and have an authority to instruct Service Provider to process this form.

**Authorized Plan Administrator Signature** \_\_\_\_\_ **Date (Required)** \_\_\_\_\_

*A handwritten signature is required on this form. An electronic signature will not be accepted and will result in a significant delay.*

**Print Full Name** \_\_\_\_\_ Becky Powell with Capstone Retirement Services LLC.

Last Name

First Name

M.I.

U.S. Social Security Number

Number

**Where should I send this form?****After all signatures have been obtained, this form can be:**

becky@crstpaok.com  
Fax 405-330-4931  
1310 S Kelly Ave, Edmond, OK 73003

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Effective December 31, 2020, Empower acquired the Massachusetts Mutual Life Insurance Company's (MassMutual) retirement business. Empower administers the business on MassMutual's behalf, with certain administrative services being performed by MassMutual and its affiliates during a temporary transition period. Empower is not affiliated with MassMutual or its affiliates.

## Participant Withdrawal Guide - 401(k) Plan

### The In-Service Withdrawal Request

#### **Before completing the form, please note the following information:**

- I must be eligible to receive a withdrawal from Plan.
- All pages of the In-Service Withdrawal Request form ("Withdrawal Form") must be returned excluding the Participant Withdrawal Guide and the 402(f) Notice of Special Tax Rules on Distributions.
- Neither this Guide nor this Withdrawal Form are intended to provide tax or legal advice. In the preparation of this Withdrawal Form, and where I deem appropriate, I will seek a consultation with my accountant and/or tax advisor.
- Empower ("Service Provider") cannot release the funds until my plan administrator approves the withdrawal from the Plan.
- **I must complete a separate Withdrawal Form for each account or plan number.**
- **If I am a Beneficiary, I need to complete and submit a Death Benefit Claim Request form rather than this Withdrawal Form.**
- **If I am an Alternate Payee, I need to complete and submit an Alternate Payee QDRO Distribution Request rather than this Withdrawal Form.**

#### **Changes to My Request**

- Any changes to this Withdrawal Form must be crossed out and initialed. If I do not initial all changes, this Withdrawal Form may be returned to me for verification.

#### **Incomplete or Inaccurate Information**

- In the event that any section of this Withdrawal Form is incomplete or inaccurate, Service Provider may not be able to process the transaction requested on this Withdrawal Form. I may be required to complete a new form or provide additional or proper information before the transaction will be processed.

### Section A: What is my personal information?

- All information in this section must be completed.
- The name provided MUST match the name on file with Service Provider.
- Personal information will be kept confidential.
- If I am a Non-Resident Alien, refer to the 'Non-Resident Alien or Other Certification' section of this Guide.
- I have confirmed the address on my account by accessing my account online at empowermyretirement.com. If the address on my account does not match the address provided in this section, there will be processing delays.
- If I require an address change, I need to obtain and submit a Personal Information Change form found on the above website or I need to contact Service Provider at 1-833-569-2433.
- It is my responsibility to also update my address with the plan sponsor.
- Once the address is updated, I may submit this form with my new address entered in this section.

### Section B: What is my reason for this withdrawal?

- I must designate only one withdrawal reason in order for my request to be processed. If more than one withdrawal reason is elected, this Withdrawal Form may be returned to me for further clarification.
- Once Service Provider has processed a withdrawal, it cannot be returned.
- The following is a brief explanation of each of the withdrawal reasons and associated requirements listed on this Withdrawal Form.

#### **I am Age 59½ or older**

- I would check this box if I am at least age 59½ or older and the Plan allows for such withdrawals.

##### **Available contribution source(s) for this withdrawal reason:**

- ATR 1 Rollover (MassMutual)
- BTK 1 Deferred Salary
- EER 1 Employee Rollover
- ERO 1 Employer Pension

#### **I am a member with the plan sponsor sponsoring this Plan.**

- If I have attained age 59½, do not check this box. Check the Age 59½ box instead.
- I would check this box while I am a member with the plan sponsor sponsoring this Plan and I am requesting a withdrawal other than an Age 59½ withdrawal.

##### **Available contribution source(s) for this withdrawal reason:**

- ATR 1 Rollover (MassMutual)
- EER 1 Employee Rollover
- ERO 1 Employer Pension

##### **Restrictions for taking a withdrawal while I am still employed - In Service:**

- For the ERO 1 Employer Pension contribution source, I must be at least age 65 or older.

#### **I would like to withdraw my After-Tax Contributions and Earnings**

- I would check this box to request a withdrawal of my after-tax account balance, including contributions and earnings.

### Section C: What type of withdrawal and how much am I requesting?

- I must designate a type of withdrawal in order for my request to be processed.
- Once Service Provider has processed a withdrawal, it cannot be returned.
- Certain fees, charges (including contingent deferred sales charge) and/or limitations may apply.
- Unless directed otherwise by the Plan, the withdrawal will be prorated against all available investment options and all available contribution sources.
- The following is a brief explanation of each type of withdrawal listed on this Withdrawal Form.

#### **Payable to Me as a One-time Withdrawal**

- I would check this box to have my withdrawal made payable to me and enter the requested amount.
- If I select the Net Amount box, the actual withdrawal amount will be greater than the withdrawal amount received to account for applicable income taxes and fees.
- If I select the Gross Amount box, applicable income taxes and fees will be withheld from the gross amount, resulting in an amount less than the requested amount. If both or neither check box is marked, the request will be processed as a Gross Amount.
- If I am electing a partial withdrawal, I must indicate the percent or amount in the lines provided.



- If I am taking a withdrawal from a specific contribution source, I would enter it on the line provided. If I do not enter a contribution source, my withdrawal will be prorated against all of my available investment options and all available contribution sources.

#### **Rollover to an IRA or an Eligible Retirement Plan as a One-time Withdrawal**

- It is my responsibility to determine if the IRA or an eligible retirement plan accepts eligible rollover withdrawals.
- I would check this box to have my withdrawal payable to an IRA or an eligible retirement plan and enter the requested amount.
- The withdrawal will be prorated against all of my available investment options and all available contribution sources as allowed by IRS regulations.
- An eligible rollover withdrawal may be paid directly to a Roth IRA. Mandatory Federal and State Income Tax withholding does not apply to this type of rollover. However, this withdrawal is subject to Federal and State Income Tax withholding and I am responsible for making tax payments. The taxable withdrawal will be reported on IRS Form 1099-R. Making an estimated tax payment to the IRS and an appropriate state authority at the time of this rollover may be one of the options to cover this tax liability. Where I deem appropriate, I will seek a consultation with my tax advisor.
- The rollover may not be completed if the acceptance letter and the form provide conflicting information. I may be contacted to provide additional information.
- After-tax contributions in a 401(a) or 401(k) Plan may be rolled into another 401(a), 401(k) or 403(b) Plan which agreed to separately account for amounts transferred, or Traditional IRA or Roth IRA. After-tax contributions in a 401(a) or 401(k) Plan, however, may not be rolled over to a Governmental 457(b) Plan. If I have after-tax contributions in my account and I elect a direct rollover to a Governmental 457(b) Plan, the cost basis of the after-tax contributions will be distributed to me and the investment earnings on the after-tax contributions will be included in the rollover amount.

#### **Periodic Installment Payments (This option is only available if I am 100% vested.)**

- If I am requesting to establish a new periodic installment payment, I would check the box before "I am requesting to establish a new Periodic Installment Payment." I would then fill in the First Payment Processing Date, Frequency and Payment Type. See [Periodic Installment Payment Options](#) below for explanation of the options available.
- If I have an existing periodic installment payment and I would like to change the frequency or payment date, I would check the box before "I am making a change to an existing Periodic Installment Payment." I would then fill in the information that I want changed.
- If my request is to establish a new periodic installment payment but I would also like to take a one-time partial withdrawal, I would check the box before "I am also requesting a one-time withdrawal..." and enter the dollar amount or percentage on the line provided. I would then fill in the First Payment Processing Date, Frequency and Payment Type. See [Periodic Installment Payment Options](#) below for explanation of the options available.
- If I select the Net Amount box, the actual withdrawal amount will be greater than the withdrawal amount received to account for applicable income taxes and fees.
- If I select the Gross Amount box, applicable income taxes and fees will be withheld from the gross amount, resulting in an amount less than the requested amount. If both or neither check box is marked, the request will be processed as a Gross Amount.

#### Periodic Installment Payment Options

##### First Payment Processing Date

- I must select a First Payment Processing Date. The First Payment Processing Date is the date the funds will be withdrawn from my account.
- I may choose any day between the 1st and the 28th for my First Payment Processing Date. If my chosen date falls on a non-business day (weekend, holiday, etc.) then my payment will distribute on the next available business day.
- Allow 5-10 business days from the First Payment Processing Date to receive the withdrawal.

##### Frequency

- I must select the frequency of my payment from the available options.

##### Payment Type

###### Amount Certain (Gross Amount Only)

- I would select this option if I wish to receive specific dollar amount payments on an installment basis.
- The payments will continue until my account balance is zero.
- The number of payments I receive will vary depending on the performance of my underlying investment options.

###### Period Certain (Specific Number of Years)

- I would select this option if I wish to receive a set number of periodic installment payments.
- Payment amounts will depend on the account value, which may fluctuate depending upon my chosen investments' performance, the number of years I elect to receive payments and the frequency chosen.
- The payment amount will be calculated by dividing my current vested account balance by the number of remaining payments and is recalculated each time a payment is distributed; therefore, the amount of each payment typically differs. For example, if the payout is to be annually for 4 years, the initial payout amount will be equal to 1/4 of my account balance. The second payment will be 1/3 of my balance. The third payment will be 1/2 and the final payment will be the remainder of the account balance, resulting in a zero account balance.

##### Interest Only Payments

- This option is only available to me if I have at least one fixed investment option.
- My payment will vary depending on the type and performance of the fixed investment options.
- My payment will continue until I reach the applicable age, at which point my periodic installment payment option will be automatically converted to my required minimum distribution and withdrawals will be made at the same frequency as my interest only payments.

### **Section D: To whom do I want my withdrawal payable?**

- It is my responsibility to make sure that the Trustee/Custodian/Provider information provided is accurate.
- **Proceeds will be made payable to the Trustee/Custodian/Provider listed in this section and will be sent to me at the address on my account.**
- This is an irrevocable election and I am responsible for forwarding these payments to the new Trustee/Custodian/Provider in a timely manner.
- Any attempt to provide an address for the new Trustee/Custodian/Provider in any other address section will not be acted upon.
- If I have after-tax assets and would like to direct my after-tax contributions to a Rollover payee other than the one listed in this section, I must attach a letter of instruction listing the Trustee/Custodian/Provider name and account number and must include the type of payee, my name, social security number, signature and date.

### **Section E: How do I want my proceeds delivered?**

- Certain delivery options are not available on all types of withdrawals.
- Delivery of payment is based on completion of the withdrawal process, which includes receipt of a complete request in good order **and** additional/required information from the plan sponsor.
- Below is a description of each delivery option.

### **Rollover Delivery Options**

- **Rollover proceeds will be made payable to the Trustee/Custodian/Provider listed in the section above and will be sent to me at the address on my account.**
- I must choose from the 2 delivery options listed in this section. If I do not select a delivery option for my rollover proceeds, they will be sent by USPS regular mail.

### **Check by USPS Regular Mail**

- Estimated delivery time is up to 5 business days.
- No additional charge.

### **Check by Express Delivery**

- Estimated delivery time is 1-2 business days.
- A non-refundable charge of \$30.00 will be deducted, in addition to any withdrawal fees, for each transaction from my withdrawal check.
  - For example, if I elected to make a full withdrawal with a portion payable to me and the remainder rolled over to an eligible plan, and I have after-tax money sources, there will be 3 different transactions and I may be charged up to a total of \$90.00 for the Express delivery fees.
- Available for delivery, Monday - Friday, with no signature required upon delivery.
- If address is a P.O. Box, check will be sent by USPS Priority Mail and estimated delivery time is 2-3 business days.

### **Payable to Me Delivery Options**

- I must choose from the delivery options listed in this section. If I do not select a delivery option for my other proceeds, they will be sent by USPS regular mail.

### **Check by USPS Regular Mail**

- Estimated delivery time is up to 5 business days.
- No additional charge.

### **Check by Express Delivery**

- Estimated delivery time is 1-2 business days.
- A non-refundable charge of up to \$30.00 will be deducted, in addition to any withdrawal fees, for each transaction.
  - For example, if I elected to make a full withdrawal with a portion payable to me and the remainder rolled over to an eligible plan, and I have after-tax money sources, there will be 3 different transactions and I may be charged up to a total of \$90.00 for the Express delivery fees.
- Not available for Periodic Installment Payments.
- Available for delivery, Monday-Friday, with no signature required upon delivery.
- If the address is a P.O. Box, the check will be sent by USPS Priority Mail and estimated delivery time is 2-3 business days.
- Delivery is not guaranteed to all areas.

### **Electronic Deposit (ACH) to the bank account on file**

- I have an existing ACH that has been on file for at least fifteen (15) days and I wish to use if for this withdrawal request. If my ACH has not been established on my account for at least 15 days, a check will be sent to my address on file.
- Estimated delivery time is 2-3 business days.
- No additional charge.
- Not available for Direct Rollovers.
- Available for Periodic Installment Payments at no charge.
- If I have requested a periodic installment payment and my first payment processing date does not allow for the 10 day pre-notification process, I understand that my first payment will be sent by check to my address on my account.

### **Important information about electronic delivery**

- If requested, your funds can be delivered electronically to your bank account through the Automated Clearing House (ACH) network. By choosing electronic delivery, you are authorizing us to deposit and withdraw funds to and from your account as necessary, including any adjustments that may be needed. Also, you are authorizing your bank to receive deposits and allow withdrawals, including adjustments, in the same manner.
- Your electronic deposit (ACH) banking information must have been previously submitted to us and verified for your protection; otherwise, we will send a check to your address on file.
- You authorize and direct your financial institution not to hold any overpayments on your behalf, or on behalf of your estate or any current or future joint account holder, if applicable.

## **Section F: Non-Resident Alien or Other Certification**

- If I am a non-resident alien, I must complete the 'Non-Resident Alien or Other Certification' section on this form.
- The withholding rate applicable to my payment is thirty percent (30%) unless a reduced rate applies because my country of residence has entered into a tax treaty with the U.S. and the treaty provides for reduced withholding rate or an exemption from withholding. In order to claim a treaty rate, I must complete the appropriate fields, tax treaty section, if applicable, and provide a U.S. Taxpayer Identification number. I may call 1-800-TAX-FORM (829-3676) or visit [irs.gov](http://irs.gov) for further information. If I need and as I see applicable, I will consult with my tax advisor to determine my appropriate tax withholding.

## **Section G: How will my income taxes be withheld?**

- Withdrawal withholding will vary depending on the type of withdrawal I am requesting.
- I have received and **must read the attached 402(f) Notice of Special Tax Rules on Distributions**, which provides additional income tax withholding information.
- If I do not have sufficient Federal or State Income Tax withheld from my withdrawal, I will be responsible for payment of estimated tax and/or may incur penalties under estimated tax rules.
- I have attached IRS Form W-4P or IRS Form W-4R and/or my State's Income Tax withholding form to make tax elections when required. In the event these forms are required for my withdrawal and not submitted, Service Provider will withhold in accordance with applicable Federal and State regulations.
- If I need and as I see applicable, I will consult with my tax advisor to determine my appropriate tax withholding.

### **Federal Income Tax Withholding**

- For your federal income tax withholding election, unless you elect out of withholding, or otherwise complete the IRS Form W-4R (please go to [irs.gov](http://irs.gov) and enter Form W-4R into the search bar or call 1-800-TAX-FORM (829-3676)), federal income tax will be withheld at a rate of 10% for non-periodic installment withdrawals. For an eligible rollover withdrawal, the default withholding rate is 20%. For eligible rollover withdrawals, **you are not allowed**

**to opt-out of withholding**, but you may choose a rate greater than 20% by completing Form W-4R. If you choose to make an alternate income tax withholding election, then you must complete and attach Form W-4R to this Withdrawal Form.

- I understand that I am still liable for the payment of federal income tax on the taxable amount. I also understand that I may be subject to tax penalties under the estimated tax payment rules if my payments of estimated tax and withholding, if any, are not adequate.

#### **Early Withdrawal Penalty**

- I may be subject to an additional ten percent (10%) tax penalty for withdrawals if I am under the age of 59½, unless another exception to the early withdrawal penalty applies.

#### **Direct Rollovers**

- Direct rollovers are not subject to Federal Income Tax withholding.
- A rollover of assets to a Roth IRA are subject to Federal Income Tax and will be reported as taxable income to me.
- I am responsible for paying any income tax due on this withdrawal.

#### **Periodic Installment Payments**

- For your federal income tax withholding election, unless you elect out of withholding, or otherwise complete the IRS Form W-4P (please go to [irs.gov](http://irs.gov) and enter Form W-4P into the search bar or call 1-800-TAX-FORM (829-3676)), federal income tax will be withheld as if you are single with no adjustments. If you choose to make an alternate income tax withholding election, then you must complete and attach the IRS Form W-4P to this Withdrawal Form.
- I understand that I am still liable for the payment of federal income tax on the taxable amount. I also understand that I may be subject to tax penalties under the estimated tax payment rules if my payments of estimated tax and withholding, if any, are not adequate.

#### **Income Tax Withholding Applicable to Payments Delivered Outside the U.S.**

- If I am a U.S. citizen or U.S. resident alien and my payment is to be delivered outside the U.S. or its possessions, I may not elect out of Federal Income Tax withholding.

#### **Income Tax Withholding for a Non-U.S. Person**

- If I am a non-resident alien, I must complete the 'Non-Resident Alien or Other Certification' section of this form.
- The withholding rate applicable to my payment is thirty percent (30%) unless a reduced rate applies because my country of residence has entered into a tax treaty with the U.S. and the treaty provides for a reduced withholding rate or an exemption from withholding. In order to claim a treaty rate, I must complete the appropriate fields, tax treaty section, if applicable, and provide a U.S. Taxpayer Identification number. I may call 1-800-TAX-FORM (829-3676) or visit [irs.gov](http://irs.gov) for further information. If I need and as I see applicable, I will consult with my tax advisor to determine my appropriate tax withholding.

#### **State Income Tax Withholding**

- If applicable, I will attach my State's Income Tax withholding form to make tax elections when required. In the event these forms are required for my withdrawal and not submitted, Service Provider will withhold in accordance with applicable state regulations.
- If I live in the state that mandates State Income Tax withholding, State Income Tax will be withheld. If I wish to have additional State Income Tax withheld, I may elect so by entering a percentage or dollar amount on the line provided.
- Certain states allow an election for no State Income Tax withholding depending on the reason and type of withdrawal I have selected. For these states only, State Income Tax will be withheld unless I properly elect otherwise on the form.
- Certain states do not require mandatory withholding but allow to elect State Income Tax withholding depending on the reason and type of withdrawal I have selected. If I elect this, State Income Tax will be withheld based on a default rate/rules provided by the state of my residence. I may elect to have an additional State Income Tax withheld by entering a percentage or a dollar amount on the line provided.
- **For more information and applicable forms or documentation that may be required for my state**, refer to the appropriate state tax authority.

### **Section H: Signatures and Consent**

- **Handwritten signatures are required on this form. Electronic signatures will not be accepted and will result in a significant delay.**

#### **My Consent**

- My signature and the date of my signature are required.
- I attest to receiving, reading, understanding and agreeing to all provisions of this Withdrawal Form Request, the Participant Withdrawal Guide, the 402(f) Notice of Special Tax Rules on Distributions and the Notice to Participant and Participant's Spouse of Distribution Election.

#### **My Spouse's Consent** (if applicable)

- If my marital status in Section A is married and my Plan is subject to the spousal consent requirements of ERISA or otherwise requires spousal consent, I must have my spouse sign in this section of this Withdrawal Form, and my spouse's signature must be notarized in this section or witnessed by my authorized Plan Administrator in the next section.
- My spouse's consent must be obtained no more than 180 days prior to my withdrawal date.

#### **My Authorized Plan Administrator Signature**

- My authorized Plan Administrator signature and completed vesting information are required in order for this Withdrawal Form to be processed.

### **Section I: Where should I send this form?**

- Once I have completed this Withdrawal Form, including obtaining all signatures, I must forward it according to the instructions listed in this section.
- If I have elected to upload this Withdrawal Form to Service Provider, I need to allow 2-4 hours for receipt before I check on the status.
- We will not accept hand delivered forms at Express Mail addresses.

### **Required Information**

#### **Important Note**

- Although every effort is made to keep the information in this Guide current, it is subject to change without notice. Federal, state, and local tax laws may be revised, and new Plan provisions may be adopted by the Plan. For the most up to date version of this Guide, please visit the website at [empowermyretirement.com](http://empowermyretirement.com) or call Client Service at 1-833-569-2433.
- Access to the Voice Response System or the website may be limited or unavailable during periods of peak demand, market volatility, systems upgrades, maintenance or for other reasons.
- For more information about available investment options, including fees and expenses, I may obtain applicable prospectuses and/or disclosure documents regarding Plan investments and fees available from my Plan administrator and/or Plan Service representative. Read them carefully before investing.

## **402(f) NOTICE OF SPECIAL TAX RULES ON DISTRIBUTIONS**

### **YOUR ROLLOVER OPTIONS**

You are receiving this notice because all or a portion of a payment you are receiving from The Supplemental Pension/401(k) Plan to IBEW LU 1141 Retirement and 401(k) Plan (the "Plan") is eligible to be rolled over to an IRA or an employer plan. This notice is intended to help you decide whether to do such a rollover.

This notice describes the rollover rules that apply to payments from the Plan that are not from a designated Roth account (a type of account in some employer plans that are subject to special tax). If you also receive a payment from a designated Roth account in the Plan, you will be provided a different notice for that payment, and the Plan administrator or the payor will tell you the amount that is being paid from each account.

Rules that apply to most payments from a plan are described in the "General Information About Rollovers" section. Special rules that only apply in certain circumstances are described in the "Special Rules and Options" section.

### **GENERAL INFORMATION ABOUT ROLLOVERS**

#### **How can a rollover affect my taxes?**

You will be taxed on a payment from the Plan if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (generally, distributions made before age 59½), unless an exception applies. However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception to the 10% additional income tax applies).

#### **What types of retirement accounts and plans may accept my rollover?**

You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employer plan (a tax-qualified plan, section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employer plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, IRAs are not subject to spousal consent rules, and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

#### **How do I do a rollover?**

There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

If you do a direct rollover, the Plan will make the payment directly to your IRA or an employer plan. You should contact the IRA sponsor or the administrator of the employer plan for information on how to do a direct rollover.

If you do not do a direct rollover, you may still do a rollover by making a deposit into an IRA or eligible employer plan that will accept it. Generally, you will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, the Plan is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).

#### **How much may I roll over?**

If you wish to do a rollover, you may roll over all or part of the amount eligible for rollover. Any payment from the Plan is eligible for rollover, except:

- Certain payments spread over a period of at least 10 years or over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary);
- Required minimum distributions after age 70½ (if you were born before July 1, 1949), or age 72 (if you were born after June 30, 1949), or after death;
- Hardship distributions;
- Payments of employee stock ownership plan (ESOP) dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Loans treated as deemed distributions (for example, loans in default due to missed payments before your employment ends);
- Cost of life insurance paid by the Plan;
- Payments of certain automatic enrollment contributions requested to be withdrawn within 90 days of the first contribution;
- Amounts treated as distributed because of a prohibited allocation of S corporation stock under an ESOP (also, there will generally be adverse

tax consequences if you roll over a distribution of S corporation stock to an IRA); and

- Distributions of certain premiums for health and accident insurance.
- The Plan administrator or the payor can tell you what portion of a payment is eligible for rollover.

#### **If I don't do a rollover, will I have to pay the 10% additional income tax on early distributions?**

If you are under age 59½, you will have to pay the 10% additional income tax on early distributions for any payment from the Plan (including amounts withheld for income tax) that you do not roll over, unless one of the exceptions listed below applies. This tax applies to the part of the distribution that you must include in income and is in addition to the regular income tax on the payment not rolled over.

The 10% additional income tax does not apply to the following payments from the Plan:

- Payments made after you separate from service if you will be at least age 55 in the year of the separation;
- Payments that start after you separate from service if paid at least annually in equal or close to equal amounts over your life or life expectancy (or the lives or joint life expectancy of you and your beneficiary);
- Payments from a governmental plan made after you separate from service if you are a qualified public safety employee and you will be at least age 50 in the year of the separation;
- Payments of up to \$5,000 made to you from a defined contribution plan if the payment is a qualified birth or adoption distribution;
- Payments made due to disability;
- Payments after your death;
- Payments of ESOP dividends;
- Corrective distributions of contributions that exceed tax law limitations;
- Cost of life insurance paid by the Plan;
- Payments made directly to the government to satisfy a federal tax levy;
- Payments made under a qualified domestic relations order (QDRO);
- Payments up to the amount of your deductible medical expenses (without regard to whether you itemize deductions for the taxable year);
- Certain payments made while you are on active duty if you were a member of a reserve component called to duty after September 11, 2001, for more than 179 days;
- Payments of certain automatic enrollment contributions requested to be withdrawn within 90 days of the first contribution;
- Payments excepted from the additional income tax by federal legislation relating to certain emergencies and disasters; and
- Phased retirement payment made to federal employees.

#### **If I do a rollover to an IRA, will the 10% additional income tax apply to early distributions from the IRA?**

If you receive a payment from an IRA when you are under age 59½, you will have to pay the 10% additional income tax on early distributions on the part of the distribution that you must include in income, unless an exception applies. In general, the exceptions to the 10% additional income tax for early distributions from an IRA are the same as the exceptions listed above for early distributions from a plan. However, there are a few differences for payments from an IRA, including:

- The exception for payments made after you separate from service if you will be at least age 55 in the year of the separation (or age 50 for qualified public safety employees) does not apply;
- The exception for qualified domestic relations orders (QDROs) does not apply (although a special rule applies under which, as part of a divorce or separation agreement, a tax-free transfer may be made directly to an IRA of a spouse or former spouse); and
- The exception for payments made at least annually in equal or close to equal amounts over a specified period applies without regard to whether you have had a separation from service.

Additional exceptions apply for payments from an IRA, including:

- Payments for qualified higher education expenses;
- Payments up to \$10,000 used in a qualified first-time home purchase; and
- Payments for health insurance premiums after you have received unemployment compensation for 12 consecutive weeks (or would have been eligible to receive unemployment compensation but for self-employed status).

#### **Will I owe State income taxes?**

This notice does not describe any State or local income tax rules (including withholding rules).

## **SPECIAL RULES AND OPTIONS**

### **If your payment includes after-tax contributions**

After-tax contributions included in a payment are not taxed. If you receive a partial payment of your total benefit, an allocable portion of your after-tax contributions is included in the payment, so you cannot take a payment of only after-tax contributions. However, if you have pre-1987 after-tax contributions maintained in a separate account, a special rule may apply to determine whether the after-tax contributions are included in a payment. In addition, special rules apply when you do a rollover, as described below.

You may roll over to an IRA a payment that includes after-tax contributions through either a direct rollover or a 60-day rollover. You must keep track of the aggregate amount of the after-tax contributions in all of your IRAs (in order to determine your taxable income for later payments from the IRAs).

If you do a direct rollover of only a portion of the amount paid from the Plan and at the same time the rest is paid to you, the portion directly rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions. In this case, if you directly roll over \$10,000 to an IRA that is not a Roth IRA, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions. If you do a direct rollover of the entire amount paid from the Plan to two or more destinations at the same time, you can choose which destination receives the after-tax contributions.

Similarly, if you do a 60-day rollover to an IRA of only a portion of a payment made to you, the portion rolled over consists first of the amount that would be taxable if not rolled over. For example, assume you are receiving a distribution of \$12,000, of which \$2,000 is after-tax contributions, and no part of the distribution is directly rolled over. In this case, if you roll over \$10,000 to an IRA that is not a Roth IRA in a 60-day rollover, no amount is taxable because the \$2,000 amount not rolled over is treated as being after-tax contributions.

You may roll over to an employer plan all of a payment that includes after-tax contributions, but only through a direct rollover (and only if the receiving plan separately accounts for after-tax contributions and is not a governmental section 457(b) plan). You can do a 60-day rollover to an employer plan of part of a payment that includes after-tax contributions, but only up to the amount of the payment that would be taxable if not rolled over.

### **If you miss the 60-day rollover deadline**

Generally, the 60-day rollover deadline cannot be extended. However, the IRS has the limited authority to waive the deadline under certain extraordinary circumstances, such as when external events prevented you from completing the rollover by the 60-day rollover deadline. Under certain circumstances, you may claim eligibility for a waiver of the 60-day rollover deadline by making a written self-certification. Otherwise, to apply for a waiver from the IRS, you must file a private letter ruling request with the IRS. Private letter ruling requests require the payment of a nonrefundable user fee. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*.

### **If your payment includes employer stock that you do not roll over**

If you do not do a rollover, you can apply a special rule to payments of employer stock (or other employer securities) that are either attributable to after-tax contributions or paid in a lump sum after separation from service (or after age 59½, disability, or the participant's death). Under the special rule, the net unrealized appreciation on the stock will not be taxed when distributed from the Plan and will be taxed at capital gain rates when you sell the stock. Net unrealized appreciation is generally the increase in the value of employer stock after it was acquired by the Plan. If you do a rollover for a payment that includes employer stock (for example, by selling the stock and rolling over the proceeds within 60 days of the payment), the special rule relating to the distributed employer stock will not apply to any subsequent payments from the IRA or, generally, the Plan. The Plan administrator can tell you the amount of any net unrealized appreciation.

### **If you have an outstanding loan that is being offset**

If you have an outstanding loan from the Plan, your Plan benefit may be offset by the outstanding amount of the loan, typically when your employment ends. The offset amount is treated as a distribution to you at the time of the offset. Generally, you may roll over all or any portion of the offset amount. Any offset amount that is not rolled over will be taxed (including the 10% additional income tax on early distributions, unless an exception applies). You may roll over offset amounts to an IRA or an employer plan (if the terms of the employer plan permit the plan to receive plan loan offset rollovers).

How long you have to complete the rollover depends on what kind of plan loan offset you have. If you have a qualified plan loan offset, you will have until your tax return due date (including extensions) for the tax year during which the offset occurs to complete your rollover. A qualified plan loan offset occurs when a plan loan in good standing is offset because your employer plan terminates, or because you sever from employment. If your plan loan offset occurs for any other reason (such as a failure to make level loan repayments that results in a deemed distribution), then you have 60 days from the date the offset occurs to complete your rollover.

### **If you were born on or before January 1, 1936**

If you were born on or before January 1, 1936, and receive a lump sum distribution that you do not roll over, special rules for calculating the amount of the tax on the payment might apply to you. For more information, see IRS Publication 575, *Pension and Annuity Income*.

### **If your payment is from a governmental section 457(b) plan**

If the Plan is a governmental section 457(b) plan, the same rules described elsewhere in this notice generally apply, allowing you to roll over the payment to an IRA or an employer plan that accepts rollovers. One difference is that, if you do not do a rollover, you will not have to pay the 10% additional income tax on early distributions from the Plan even if you are under age 59½ (unless the payment is from a separate account holding rollover contributions that were made to the Plan from a tax-qualified plan, a section 403(b) plan, or an IRA). However, if you do a rollover to an IRA or to an employer plan that is not a governmental section 457(b) plan, a later distribution made before age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies). Other differences are that you cannot do a rollover if the payment is due to an "unforeseeable emergency" and the special rules under "If your payment includes employer stock that you do not roll over" and "If you were born on or before January 1, 1936," do not apply.

### **If you are an eligible retired public safety officer and your payment is used to pay for health coverage or qualified long-term care insurance**

If the Plan is a governmental plan, you retired as a public safety officer, and your retirement was by reason of disability or was after normal retirement age, you can exclude from your taxable income plan payments paid directly as premiums to an accident or health plan (or a qualified long-term care insurance contract) that your employer maintains for you, your spouse, or your dependents, up to a maximum of \$3,000 annually. For this purpose, a public safety officer is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew.

### **If you roll over your payment to a Roth IRA**

If you roll over a payment from the Plan to a Roth IRA, a special rule applies under which the amount of the payment rolled over (reduced by any after-tax amounts) will be taxed. In general, the 10% additional income tax on early distributions will not apply. However, if you take the amount rolled over out of the Roth IRA within the five-year period that begins on January 1 of the year of the rollover, the 10% additional income tax will apply (unless an exception applies).

If you roll over the payment to a Roth IRA, later payments from the Roth IRA that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a Roth IRA is a payment made after you are age 59½ (or after your death or disability, or as a qualified first-time homebuyer distribution of up to \$10,000) and after you have had a Roth IRA for at least 5 years. In applying this 5-year rule, you count from January 1 of the year for which your first contribution was made to a Roth IRA. Payments from the Roth IRA that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies). You do not have to take required minimum distributions from a Roth IRA during your lifetime. For more information, see IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)* and IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*.

### **If you do a rollover to a designated Roth account in the Plan**

You cannot roll over a distribution to a designated Roth account in another employer's plan. However, you can roll the distribution over into a designated Roth account in the distributing Plan. If you roll over a payment from the Plan to a designated Roth account in the Plan, the amount of the payment rolled over (reduced by any after-tax amounts directly rolled over) will be taxed. In general, the 10% additional tax on early distributions will not apply. However, if you take the amount rolled over out of the Roth IRA within the five-year period that begins on January 1 of the year of the rollover, the 10% additional income tax will apply (unless an exception applies).

If you roll over the payment to a designated Roth account in the Plan, later payments from the designated Roth account that are qualified distributions will not be taxed (including earnings after the rollover). A qualified distribution from a designated Roth account is a payment made both after you are age 59½ (or after your death or disability) and after you have had a designated Roth account in the Plan for at least 5 years. In applying this 5-year rule you count from January 1 of the year your first contribution was made to the designated Roth account. However, if you made a direct rollover to a designated Roth account in the Plan from a designated Roth account in a plan of another employer, the 5-year period begins on January 1 of the year you made the first contribution to the designated Roth account in the Plan or, if earlier, to the designated Roth account in the plan of the other employer. Payments from the designated Roth account that are not qualified distributions will be taxed to the extent of earnings after the rollover, including the 10% additional income tax on early distributions (unless an exception applies).

#### **If you are not a Plan participant**

**Payments after death of the participant.** If you receive a distribution after the participant's death that you do not roll over, the distribution will generally be taxed in the same manner described elsewhere in this notice. However, the 10% additional income tax on early distributions and the special rules for public safety officers do not apply, and the special rule described under the section "If you were born on or before January 1, 1936," applies only if the deceased participant was born on or before January 1, 1936.

**If you are a surviving spouse.** If you receive a payment from the Plan as the surviving spouse of a deceased participant, you have the same rollover options that the participant would have had, as described elsewhere in this notice. In addition, if you choose to do a rollover to an IRA, you may treat the IRA as your own or as an inherited IRA.

An IRA you treat as your own is treated like any other IRA of yours, so that payments made to you before you are age 59½ will be subject to the 10% additional income tax on early distributions (unless an exception applies) and required minimum distributions from your IRA do not have to start until after you are age 70½ (if you were born before July 1, 1949), or age 72 (if you were born after June 30, 1949).

If you treat the IRA as an inherited IRA, payments from the IRA will not be subject to the 10% additional income tax on early distributions. However, if the participant had started taking required minimum distributions, you will have to receive required minimum distributions from the inherited IRA. If the participant had not started taking required minimum distributions from the Plan, you will not have to start receiving required minimum distributions from the inherited IRA until the year the participant would have been age 70½ (if participant was born before July 1, 1949), or age 72 (if participant was born after June 30, 1949).

**If you are a surviving beneficiary other than a spouse.** If you receive a payment from the Plan because of the participant's death and you are a designated beneficiary other than a surviving spouse, the only rollover option you have is to do a direct rollover to an inherited IRA. Payments from the inherited IRA will not be subject to the 10% additional income tax on early distributions. You will have to receive required minimum distributions from the inherited IRA.

**Payments under a QDRO.** If you are the spouse or former spouse of the participant who receives a payment from the Plan under a QDRO, you generally have the same options and the same tax treatment that the participant would have (for example, you may roll over the payment to your own IRA or an eligible employer plan that will accept it). However, payments under the QDRO will not be subject to the 10% additional income tax on early distributions.

#### **If you are a nonresident alien**

If you are a nonresident alien and you do not do a direct rollover to a U.S. IRA or U.S. employer plan, instead of withholding 20%, the Plan is generally required to withhold 30% of the payment for federal income taxes. If the amount withheld exceeds the amount of tax you owe (as may happen if you do a 60-day rollover), you may request an income tax refund by filing Form 1040NR and attaching your Form 1042-S. See Form W-8BEN for claiming that you are entitled to a reduced rate of withholding under an income tax treaty. For more information, see also IRS Publication 519, *U.S. Tax Guide for Aliens*, and IRS Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*.

#### **Other special rules**

If a payment is one in a series of payments for less than 10 years, your choice whether to make a direct rollover will apply to all later payments in the series (unless you make a different choice for later payments). If your

payments for the year are less than \$200 (not including payments from a designated Roth account in the Plan), the Plan is not required to allow you to do a direct rollover and is not required to withhold federal income taxes. However, you may do a 60-day rollover. Unless you elect otherwise, a mandatory cash-out of more than \$1,000 (not including payments from a designated Roth account in the Plan) will be directly rolled over to an IRA chosen by the Plan administrator or the payor. A mandatory cash-out is a payment from a plan to a participant made before age 62 (or normal retirement age, if later) and without consent, where the participant's benefit does not exceed \$5,000 (not including any amounts held under the plan as a result of a prior rollover made to the plan).

You may have special rollover rights if you recently served in the U.S. Armed Forces. For more information on special rollover rights related to the U.S. Armed Forces, see IRS Publication 3, *Armed Forces' Tax Guide*. You also may have special rollover rights if you were affected by a federally declared disaster (or similar event), or if you received a distribution on account of a disaster. For more information on special rollover rights related to disaster relief, see the IRS website at [www.irs.gov](http://www.irs.gov).

#### **Postponement of Distribution Notice**

If you elect to defer your distribution, the Plan will not make a distribution to you without your consent until required by the terms of the Plan or by law. If you elect to defer your distribution, your vested account balance will continue to experience investment gains, losses and Plan expenses. As a result, the value of your vested account balance ultimately distributed to you could be more or less than the value of your current vested account balance. In determining the economic consequences of postponing your distribution, you should compare the administration cost and investment options (including fees) applicable to your vested account balance in the Plan if you postpone your distribution to the costs and options you may obtain with investment options outside the Plan.

Upon distribution of your vested account balance from the Plan, you will be taxed (except to the extent your vested account balance consists of after-tax contributions or qualified amounts held in a ROTH money source) on your vested account balance at the time of the distribution if you do not rollover your balance. As explained in greater detail in the 402(f) Notice of Special Tax Rules on Distributions, you can roll over your distribution directly or you may receive your distribution and roll it over within 60 days to avoid current taxation and to continue to have the opportunity to accumulate tax-deferred earnings. There are many complex rules relating to rollovers, and you should read the 402(f) Notice of Special Tax Rules on Distributions carefully before deciding whether a rollover is desirable in your circumstances. You should also note that a 10% penalty tax may apply to distributions made before you reach age 59½, unless another exception applies.

If you defer your distribution of your vested account balance, you may invest in the investment options available to active employees. If you do not defer distribution of your vested account balance, the currently available investment options in the Plan may not be generally available on similar terms outside the Plan. Fees and expenses (including administrative or investment related fees) outside the Plan may be different from fees and expenses that apply to your vested account balance in the Plan. For more information about fees, expenses, and currently available Plan investment options, including investment related fees, refer to the prospectuses and/or disclosure documents regarding Plan investments and fees available from your Plan administrator and/or Plan service representative.

When considering whether to defer your distribution, carefully review the Plan Document and/or Plan's Summary Plan Description, including the sections on timing of distributions and available distributions.

#### **FOR MORE INFORMATION**

You may wish to consult with the Plan administrator or payor, or a professional tax advisor, before taking a payment from the Plan. Also, you can find more detailed information on the federal tax treatment of payments from employer plans in: IRS Publication 575, *Pension and Annuity Income*; IRS Publication 590-A, *Contributions to Individual Retirement Arrangements (IRAs)*; IRS Publication 590-B, *Distributions from Individual Retirement Arrangements (IRAs)*; and IRS Publication 571, *Tax-Sheltered Annuity Plans (403(b) Plans)*. These publications are available from a local IRS office, on the web at [www.irs.gov](http://www.irs.gov), or by calling 1-800-TAX-FORM.