

2012 retirement and benefit plan compliance calendar



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2012 retirement and benefit plan compliance calendar

There are numerous dates that plan administrators must adhere to in order to maintain a compliant retirement or benefit plan. The retirement and benefit compliance calendar is a guide meant to assist you in meeting those deadlines. The calendar should not be construed as a complete list for your plan, neither is it intended to constitute the rendering of professional advice. We advise you to always speak with a professional regarding your specific circumstances.

Requirement	Description	Due	Deliver to	Provided by
January				
Disclosures for participant directed individual accounts	Disclosures in accordance with Fiduciary Requirements for Disclosure in Participant-Directed Individual Account Plans final regulations must be sent to participants.	1/1	Participants and beneficiaries	Custodian
Form 8955-SSA (NEW)	Form 8955-SSA (replaced the Form SSA) must be filed for plan years from 2009 on. The due date may not be extended by filing Form 5558.	1/17	IRS	Recordkeeper / TPA
Vested accrued benefit at normal retirement age	Terminated employees reported on IRS Form 8955-SSA for plan year 2009 and/or 2010 must be sent notice of the vested accrued benefits at normal retirement age.	1/17	Terminated employees	Recordkeeper / TPA
Distribute Form 1099-R	Participants and beneficiaries who received retirement plan benefit payments during the preceding plan year must receive appropriate tax form.	1/31	Participant beneficiary	Recordkeeper / TPA
Plan document restatements	Cycle A – Applies to employer identification numbers (EINs) ending in 1 or 6 for individually designed plans.	1/31		Recordkeeper / TPA
Participant data	Participant data for average deferral percentage (ADP) or average contribution percentage (ACP), top heavy, and 402(g) compliance testing usually due to recordkeeper.	1/31	Recordkeeper	Plan sponsor
Form 945	Form 945 (Annual return of withheld federal income tax) must be filed.	1/31	IRS	Recordkeeper / TPA
February				
Form 1096	Form 1099-R's distributed to participants/beneficiaries must be filed with the government with Form 1096.	2/29	IRS	Recordkeeper / TPA
Form 1-ES	Estimated premium payment (used by large defined benefit plans to pay flat rate premiums for single employer plans and estimated premiums for multiemployer plans that reported 500 or more participants on the prior year Form 1) due.	2/29	Pension Benefit Guaranty Corporation (PBGC)	Recordkeeper / TPA
Form W-2 and Form W-3	Wage and tax statement and transmittal of wage and tax statement due to IRS.	2/29	IRS	Company

Requirement	Description	Due	Deliver to	Provided by
March				
Corrective distributions for failed ADP/ACP	Excesses must be distributed within 2 ½ months after the end of the plan year to avoid the employer 10% excise tax. (Note: Plans which contain an EACA have 6 months after the end of the plan year to distribute these excesses.)	3/15	Participants	Recordkeeper / TPA
Form 1042 and Form 1042-S	Forms 1042 and 1042-S reporting retirement plan distributions and income tax withheld from distributions to nonresident aliens due to IRS.	3/15	IRS	Recordkeeper / TPA
Employer profit sharing and match contributions	2011 employer profit sharing and match contributions due for December 31 fiscal plan year-end to take tax deduction without corporate tax extension.	3/15	Participants	Plan sponsor
Waiver for minimum funding standard	Application of the waiver for defined benefit and money purchase pension plans due no later than the 15th day of the 3rd month after the close of the plan year.	3/15	IRS	Company
Form 11-K	Form 11-K (annual reports of employee stock purchase savings and similar plans pursuant to Section 15(d) of the Securities and Exchange Act of 1934) due to the SEC for non-ERISA plans with December 31 plan year-end.	3/30	SEC	Company
April				
Initial minimum distribution	Minimum distributions must begin for no-longer-active participants who turned 70 ½ in previous year. Minimum distributions must begin for active or no-longer-active participants who turned 70 ½ in the previous year in a qualified plan, 403(b) account, or 457 plan who own more than 5% of the company sponsoring the plan.	4/2	Participants	Recordkeeper / TPA
Form 1099-R	Form 1099-R must be electronically filed with the IRS for 2011 distributions.	4/2	IRS	Recordkeeper / TPA
Distribute excess 402(g) deferrals	Excess 402(g) deferrals must be distributed to avoid plan disqualification.	4/17	Participants	Recordkeeper / TPA
Form 990-T	Form 990-T (exempt organization business tax return) must be filed with the IRS to report gross unrelated business income of \$1,000 or more for plans with December 31 year-end.	4/17	IRS	Company
Annual funding notice	Annual funding notice due to participants, beneficiaries, and labor organizations representing participants from plan sponsors of single and multi-employer defined benefit pension plans.	4/30	Participants, beneficiaries, labor organizations	Plan sponsor

Requirement	Description	Due	Deliver to	Provided by
May				
Form 990 and Form 990-EZ	Forms 990 and 990-EZ (annual return of organization exempt from income tax) must be filed with the IRS for plans with a December 31 year-end.	5/15	IRS	Company
June				
Form 11-K	Form 11-K (annual reports of employee stock purchase savings and similar plans pursuant to Section 15(d) of the Securities and Exchange Act of 1934) due to the SEC for non-ERISA plans with December 31 plan year-end.	6/28	SEC	Company
July				
408(b)(2) disclosure to plan sponsors (NEW)	Plan expenses paid from plan assets must be reasonable. ERISA 408(b)(2) requires that plan service providers provide disclosures to plan sponsors. Please note that the original effective date of July 16, 2011 was postponed to April 1, 2012, and was postponed on February 2, 2012 to a final date of July 1, 2012.	7/2	From service provider to responsible plan fiduciary	Service providers
Corrective distributions for failed ADP/ACP	Corrective distributions for failed ADP/ACP test from plans with EACA (eligible automatic contribution arrangement) must be processed to avoid the 10% excise tax.	7/2	Participants	Recordkeeper / TPA
Summary of material modifications	A summary of material modifications to the plan must be provided to participants with December 31 plan year-end, or no later than 210 days after the end of the plan year in which the change was effective.	7/30	Participants and beneficiaries	Recordkeeper / TPA
Form 5330	Form 5330 is used to report numerous pieces, including excise taxes related to employee benefit plans and minimum funding deficiency. Some plans may have different due dates.	7/31	IRS	Recordkeeper / TPA
Form 5500	Form 5500 is due to the Department of Labor (DOL) for plans with December 31 plan year-end (or 7 months after the plan year-end). The due date can be extended under Form 5558. (Note: Companies with defined benefit plans and a company intranet used to communicate benefit information must post Form 5500 information on the company intranet.)	7/31	DOL	Recordkeeper / TPA
Form 8955-SSA	Form 8955-SSA is due to the IRS for plans with December 31 plan year-end (or 7 months after the plan year-end).	7/31	IRS	Recordkeeper / TPA

Requirement	Description	Due	Deliver to	Provided by
July (cont.)				
Notice of Form 8955-SSA	A notice describing the amount of the vested accrued benefit at normal retirement age must be sent to terminated employees who were reported on Form 8955-SSA for plan year 2011.	7/31	Participants	Recordkeeper / TPA
Form 5558	Form 5558 must be filed with the IRS to apply for extension of time to file Forms 5500, 8955-SSA, or 5330. (Note: Separate Form 5558s are required to be filed for Form 5500 and for Form 8955-SSA.)	7/31	IRS	Recordkeeper / TPA
Periodic benefit statement for defined contribution plans	For any participants who have their own accounts, but do not have the right to direct investments the periodic benefit statement must be provided by the date of Form 5500 filing.	7/31	Eligible participants	Recordkeeper / TPA
August				
Form 990 (extension)	Form 990 due to the IRS for plans with December 31 year-end that have filed an extension through Form 8868. An additional extension is available if another Form 8868 is filed by 8/15.	8/15	IRS	Company
September				
Annual fee disclosure to participants (NEW)	ERISA section 404(a) requires initial fee related disclosures to participants must be supplied no later than 60 days after the plan's applicability date or 60 days after the effective date of ERISA section 408(b)(2) regulation (the effective date was moved to July 1, 2012 on February 2, 2012).	9/2	Participants	Recordkeeper / TPA
Required minimum funding contribution	The required minimum funding contribution is due for money purchase pension plans, target benefit plans, defined benefit plans, and 2011 employer profit-sharing and match contributions for employers that filed corporate tax extensions.	9/17	Participants	Recordkeeper / TPA
Summary annual report	The summary annual report (SAR) is due within two months of filing Form 5500. (Note: Defined benefit plans use annual funding notice in place of summary annual report.)	9/30	Participants and beneficiaries	Recordkeeper / TPA
Actuarial valuation and certification of final AFTAP	The 2012 actuarial valuation and certification of final AFTAP must be completed, unless it was range certified.	9/30		Recordkeeper / TPA

Requirement	Description	Due	Deliver to	Provided by
October				
Qualified automatic contribution arrangement (QDIA)	Annual notice of qualified automatic contribution arrangement (QACA) and EACA is due to participants and eligible employees at least 30 but no more than 90 days prior to the beginning of the plan year.	10/3	Participants and eligible employees	Recordkeeper / TPA
401(k) Plan Safe Harbor notice	The 401(k) Plan Safe Harbor notice must be distributed to eligible employees at least 30 but no more than 90 days prior to the beginning of the plan year.	10/3	Eligible employees	Recordkeeper / TPA
PBGC Form-1	PBGC Form-1 annual premium payment is due the 15th day of the ninth full month after the month the plan year began. Schedule A (single employer plan variable rate portion of premium) and Form 1-EZ (flat rate premiums) are also due.	10/15	Pension Benefit Guaranty Corporation	Company
Form 5310-A	Form 5310-A must be filed to give notice of qualified separate lines of business.	10/15	IRS	Recordkeeper / TPA
Form 5500 (extension)	Form 5500 due for plans that filed for an extension.	10/15	DOL	Recordkeeper / TPA
Form 8955-SSA (extension)	Form 8955-SSA due for plans that filed for an extension.	10/15	IRS	Recordkeeper / TPA
November				
Initial quarterly participant fee disclosure statement (NEW)	New participant fee disclosure regulations under ERISA section 404(a) require certain fee related disclosures be provided to participants and beneficiaries on a quarterly basis (the deadline for this disclosure was extended to November 14, 2012 on February 2, 2012).	11/14	Participants and beneficiaries	Recordkeeper / TPA
Form 990 (second extension)	Form 990 due to the IRS for plans with December 31 year-end that have filed a second extension through Form 8868.	11/15	IRS	Recordkeeper / TPA
Summary annual report (extension)	The summary annual report (SAR) due for plans that filed an extension for Form 5500.	11/15	Participants and beneficiaries	Recordkeeper / TPA

Requirement	Description	Due	Deliver to	Provided by
December				
Qualified default investment alternative notice	The qualified default investment alternative notice must be provided to all participants and beneficiaries who have been defaulted into a QDIA. The notice is due at least 30 days prior to the beginning of the plan year.	12/3	Participants and beneficiaries	Recordkeeper / TPA
Annual automatic enrollment notice	An annual automatic enrollment (AAE) notice must be provided to employees prior to the employer enrolling the employee in an EACA or QACA plan. The notice must be provided at least 30 days, but no more than 90 days prior to enrollment date.	12/3	Employees	Recordkeeper / TPA
Summary annual report (second extension)	The summary annual report (SAR) due for plans that filed a second extension for Form 5500.	12/17	Participants and beneficiaries	Recordkeeper / TPA
Corrective distributions	Plans that failed ADP/ACP test and for which no corrective employer contributions will be made must distribute excesses and the plan sponsor will be subject to 10% excise tax.	12/31	Participants	Recordkeeper / TPA
Qualified nonelective contributions	Plans must correct failed ADP/ACP test with qualified nonelective contributions (QNEC). Corrective employer contributions must be made by the last day of the 12th month after the end of the plan year in which the failure occurred.	12/31	Participants	Recordkeeper / TPA
Plan document amendments	Deadline for plan amendments for next plan year: - Submit amendment to convert existing 402(k) plan to safe harbor design. - Submit amendment to remove safe harbor status.	12/31	Participants and beneficiaries	Recordkeeper / TPA
Discretionary plan changes	Submit any amendments to the plan for discretionary changes implemented during the plan year.	12/31	Participants and beneficiaries	Recordkeeper / TPA
Required minimum distributions	Required age 70 ½ minimum distributions must be made to eligible participants.	12/31	Eligible participants and beneficiaries	Recordkeeper / TPA