

TIMELY DEPOSITING 401(k) DEFERRALS

Items for Consideration

TRANSMITTING THE DATA

In order for most plan's service providers to receive deferral deposits, data must be provided indicating how much of the deposit belongs to each participant.

- Which service provider must receive the deposit breakdown data?
- How is the data transmitted to the service provider (i.e. is this an automated process or does it require steps on your part)?
- If an automated process, do you have an internal procedure to ensure that the data was sent?
- If a process performed within your office, who is the person responsible, is it on their calendar to do, and how do you confirm it gets done?
- If the data isn't transmitted timely, who is responsible?

TRANSFERRING THE MONEY

To make the deposit, the money must be provided to the necessary service provider.

- Which service provider must receive the money?
- How is the money transferred to the service provider (i.e. do you have to initiate the transfer)?
- If an automated process, do you have an internal procedure to ensure that the money was sent?
- If a process performed within your office, who is the person responsible, is it on their calendar to do, and how do you confirm it gets done?
- If the money isn't transmitted timely, who is responsible?

Please see the final page of this document for important information about suggested use.

IMPORTANT INFORMATION ABOUT USING THIS DOCUMENT

The answers to the questions in this questionnaire could, and very well might be, used against you in a DOL audit or a lawsuit. **We do NOT recommend that you complete and retain this questionnaire without first reviewing the answers with ERISA legal counsel.** The intention is to provide you with questions to discuss internally rather than to create a paper trail that can be used against you.

Depending on your particular situation, there may be other items you should consider. Larger entities will have plan document issues with regard to mergers and acquisitions which are not covered by this questionnaire. There may be administrative policies that exist outside of the plan documents that help govern how the plan works that are not addressed here. This questionnaire is not intended to be exhaustive.