

## Frequently Asked Questions and Answers Year End Questionnaire and Census from Retirement Plan Administrators (RPA)

Below is a list of questions and answers designed to assist with completing the Annual Questionnaire and Year End Census spreadsheet. We hope these help, but if you still have questions, please do not hesitate to call your Plan Consultant at RPA.

### Website:

- 1 **What is my login name?** That would be your RPA 5-digit Client Number
- 2 **What is my password?** You would have selected that the first time you logged in. Please give us a call if you don't remember, we can reset it for you.
- 3 **Where are my files?** If you login and do not see your Questionnaire or Census spreadsheet, simply click the three dots (...) at the top left column and this will show you an index of everything in the folder. If you still don't see your files, please give RPA a call.
- 4 **Who do I call if I have a question?** If your question pertains to using the website contact Nick Westmoreland at 404-531-8139. If your question pertains to plan administration call you assigned consultant at RPA 404-255-6710.

**Questionnaire:** Remember, this doesn't "save" on the website. Print it out and Fax it 404-843-9273 or upload the completed questionnaire to the website and let RPA know it is ready.

1. **Who is the Plan Administrator?** The plan administrator is defined as the person who handles the day to day operation of your plan for your firm. The Plan Administrator has decision making authority on behalf of the Plan. The Plan Administrator is the person who will sign your Form 5500 and other legal documents.

### **RPA is your third party or contract administrator but is NOT your Plan Administrator.**

- 1 **What does e-filing the Form 5500 mean?** For the 2009 Plan Year End, the Department of Labor (DOL) requires that the Plan Administrator (see above) file your Form 5500 electronically via the DOL website, rather than mailing in the forms. While RPA will still prepare the forms for you, the DOL requires that the Plan Administrator actually submit the filing online. We have been assured by the DOL and our Software provider, that this will be as easy as sending an email. The software will be available in the spring of 2010. RPA will test everything and will even be on the phone to assist you if needed.
- 2 **What if the Plan Administrator does not have a computer to electronically file the forms?** The DOL suggests that the Plan Administrator file the forms from the Public Library. If you do not have a computer, please contact RPA, we are here to assist you.
- 3 **When will RPA be ready to assist with the e-filing?** After **April 1, 2010**. As soon as your Form 5500 has been completed, someone from RPA will contact you to assist with the electronic filing.

### Census Spreadsheet:

- 1 **What is a Date of Rehire?** If a person is hired, then terminates, and is hired again, RPA needs to know the original date of hire, the termination date AND the rehire date. We use these dates to calculate eligibility to participate in the plan and years of service for vesting (if applicable)
- 2 **Column Q:** What are Wages: W-2; Sch C or K-1 -- Unfortunately, each Plan has its own definition of compensation. This column is typically looking for TOTAL gross compensation (for a corporation, this is Box 5 on the W-2 PLUS Cafeteria Plan (Sec. 125) contributions. All questions about plan compensation should be addressed to your plan consultant.
- 3 **What if this column doesn't pertain to my plan?** Just leave it blank. Don't delete the column.
- 4 **Why do you need to know who owns the company?** We use this information to determine criteria for compliance tests.

### **Reminder: Please be sure to complete all applicable columns on the census file.**

This includes the columns pertaining to the employees with ownership of the company, Officers of the company (Officers are administrative executives who are in regular and continued service and share legal liability for the actions of their company), any employees related to them who are currently employed by the company and their relation specifically to that individual.

### Due Dates:

- 1 **When are my 401(k) compliance tests due?** 401(k) Plan's compliance testing must be completed 2.5 after plan year end. Under certain circumstances, failed tests that are completed AFTER 2.5 months may result in excise tax levied by the IRS. Note: Rules for Safe Harbor Plans differ.
- 2 **When are employee contributions due?** Generally these should be deposited within 7 business days after being withheld from the participant's payroll check.
- 3 **When are employer (Company) contributions due?** By the due date of the Company's tax filing (including extension). For a Corporation with a calendar year-end plan, this is March 15, unless extended.
- 4 **What is the due date of my Electronically filed Form 5500?** 7 months after the plan year end. If your plan is a calendar year end, the Form 5500 is due by July 31. If the plan is on Extension, the Form 5500 is due by October 15.

We hope this information helps. Should you have any questions, please contact us at 404-255-6710.