

# Advanced Pension Conference

Hyatt Centric Magnificent Mile • Chicago, IL  
September 5-7, 2018

Empowering  
the Financial World



## Agenda

### Wednesday, September 5

8:00 - 8:30 a.m. Registration/Continental Breakfast

#### General Session

8:30 - 8:45 a.m. **Welcome and Announcements**

8:45 - 10:25 a.m. **Keeping Current** – Ferenczy, Watson  
Join Ilene and Derrin for an entertaining session that highlights the latest guidance from Congress, the IRS, the DOL, and the courts. Emphasis is given to areas not covered elsewhere in the program.

10:25 - 10:45 a.m. Refreshment Break

10:45 - 12:00 p.m. **Plan Document Updates** – Richter  
We are currently in the 403(b) and defined benefit plan restatement periods. The next defined contribution plan restatement period will also be upon us relatively soon. This session will highlight key issues relating to the 403(b) and defined plan restatements. In addition, we will cover what to expect for the next cycle of defined contribution plan restatements. We will conclude with a discussion of recent and upcoming interim plan amendments.

12:00 - 1:15 p.m. Hosted Luncheon

1:15 - 2:15 p.m. **Advanced Hardship Distributions** – Schultz  
An in-depth review of the rules surrounding hardship distributions, including recent changes regarding documentation of need, safe harbor hardship purposes, and source limitations. The session will include a review of practical examples.

2:15 - 2:30 p.m. Refreshment Break

2:30 - 3:45 p.m. **Pension Jeopardy** – Panel  
Join Derrin as he hosts our version of the popular game show. Topical questions test the knowledge of our expert speakers. This session is not only fun, but also highlights important pension issues in a memorable way.

3:45 - 4:00 p.m. Stretch Break

4:00 - 5:15 p.m. **Fiduciary Regulation Update** – Ferenczy, Schultz, Watson  
The slow motion saga of the DOL's effort to update the "fiduciary regulations" pertaining to investment professionals continues and the landscape has changed yet again. Get the latest updates on the legal standards and current fiduciary best practices for TPAs, recordkeepers, and investment professionals.

5:15 p.m. Cocktail Reception

### Thursday, September 6

8:00 - 8:30 a.m. Continental Breakfast

**Concurrent Sessions** 8:30 a.m. - 5:00 p.m. – Group I sessions are 60 minutes each. Group II sessions are 75 minutes each. Attend **two** topics from Group I and **two** from Group II.

**GROUP I:** 8:30 - 9:30 a.m. and repeated 9:40 - 10:40 a.m.

**01. Whoops, They Did It Again! Correcting the Errors Clients Make Again and Again**  
– Ferenczy

Does it seem like there are certain administrative errors that commonly recur? EPCRS provides standardized corrections for a number of these. Join Ilene Ferenczy for a discussion of the common errors, the preapproved methods for correcting these errors, and tips of the trade to help you get through the correction process.

**02. I Was Lost but May Be Found: Dealing with Missing Participants and the New PBGC Program** – Schultz

Do you get excited when you find \$5 in your pants pocket? Then you probably go nuts over missing participants and uncashed checks. This session will dive into the ERISA obligations that apply to missing people and money, what options are available for finding and managing missing participants, and the frequency with which this cleansing ritual should be done. David will answer how the new proposed PBGC program for missing participant will work and whether you will have to use it. And what if your check remains uncashed? How do you reconcile and resolve uncashed checks within a trust? These questions and more will be covered in a fun and educational forum.

**03. Fun with 11(g) Amendments** – Richter

Treasury Regulation 1.401(a)(4)-11(g) permits certain retroactive amendments to be made to a plan as long as they are made within 9 ½ months after the end of a plan year. The regulations contained detailed rules regarding the ability to make these amendments. This session will cover the circumstances when corrective amendments may be made as well as the conditions for such amendments.

10:40 - 10:55 a.m. Refreshment Break

**GROUP II - Part 1:** 10:55 - 12:10 p.m. and *repeated after lunch* 1:20 - 2:35 p.m.

**04. Advanced Top Heavy and Plan Design** – Grossman

Top-heavy plans generate rather unique issues. This session will incorporate plan design, administrative issues, managing the employer expectations and correction concepts for top heavy plans. We will use a case study approach to discuss issues from aggregation aggravation - to manic over merger issues - to defying gravity aka rescinding deferrals is not a way to avoid top heavy allocation - to who's a key or a former key.

**05. Making Maximum Use of the Deduction Rules** – Donovan

Deferring taxes is often the primary reason for adopting a qualified retirement plan. Therefore, an understanding of the maximum deduction rules is a must for pension consultants. This session will cover deduction issues for DC plans and DB plans as well as the combined plan deduction rules. Issues will include the impact of PBGC coverage when dealing with combined plans and how to determine if your plan is PBGC covered. Ramifications of multiple plans and multiple tax entities will also be discussed.

**06. Advanced Testing with Related Employers** – Watson

You know that the plan sponsor is in a controlled group or affiliated service group, but aren't sure where to take it from there. Coverage and nondiscrimination testing involving related employers can be tricky and surprising. This session will walk you through practical examples so you can feel confident in this important arena.

12:10 - 1:20 p.m. Hosted Luncheon

**GROUP II - Part 2:** 1:20 - 2:35 p.m. See above for Group II session descriptions.

2:35 - 2:50 p.m. Refreshment Break

**GROUP III:** 2:50 - 3:50 p.m. Sessions are 60 minutes each. Attend **one** topic from this group.

- 07. How to Keep Your QDRO from Becoming a QUAD-DOH!** – Ferenczy  
QDROs are not the slam dunks that they may seem to be. It's more than just reviewing what the law requires. It's making sure that the court order does not create unexpected liability for the plan sponsor and trustee. Join Ilene for a discussion of rules for QDRO drafting and review and practical recommendations about how to keep the plan out of trouble.
- 08. Dealing with the Bad Things that Happen to Good DB Plans** – Donovan  
No matter how hard we try, retirement plans can run into problems. In dealing with distribution problems, shifting demographics, plan design or implementation errors, your clients look to you for solutions. This session will focus on some common and not-so-common problems, including: DB/DC arrangements, documentation errors, deduction issues, coverage problems, etc. Bring your problems to add to the discussion.
- 09. Beneficiary Designations** – Richter  
Plan administrators are more frequently encountering situations where the determination of a deceased participant's beneficiary is not clear. This session will cover the legal requirements for beneficiary determinations as well as focus on key court decisions impacting plan administrator decisions. We will also address some best practices on designations to help avoid problems from arising in the future.

**GROUP IV:** 4:00 - 5:00 p.m. Sessions are 60 minutes each. Attend **one** topic from this group.

- 10. RMDs Are the Same for All Plan Types, or Are They?** – Grossman  
A comparison and contrast of rules for required minimum distributions across different plan types. Specifically, we will take a high-level, 35,000-foot look at a number of RMD rules and how they differ across the plan types, i.e. for Defined Contribution plans, Defined Benefit plans, IRAs, 403(b) plans and 457(b) plans. We will discuss any recent RMD changes, e.g. missing participant at RMD guidance and the RMD VCP fee situation.
- 11. Hands Off My Money! Issues and Recommendations for Protecting Your Firm from Hackers and Fraudsters** – Schultz  
Phishing, social engineering, brute force attacks - con artists and hackers are turning their attention to 401(k) accounts and your participant websites and call centers are not immune. Learn how scammers are trying to access your customers' accounts and what you can do to protect participants and your firm.
- 12. Understanding 403(b) Universal Availability** – Watson  
Universal availability of deferrals sets 403(b) plans apart from 401(k) plans. It also provides a key focus for IRS audits of 403(b) plans. Errors abound in handling student exclusions, the 20 hour/week rule, universal availability notices, and more. This session answers the tough questions on this vital 403(b) topic.

