

DEFERRED COMPENSATION PLAN ENROLLMENT INFORMATION

Participation Requirements

The NDPERS 457 Deferred Compensation Plan is a voluntary supplemental retirement plan authorized under North Dakota Century Code (NDCC) 54-52.2 and sanctioned under IRS Code 457. The Plan offers eligible employees the opportunity to defer a portion of their salary on a pretax basis and have the funds invested and paid to them at retirement.

Any approved governmental unit may offer the NDPERS 457 Deferred Compensation Plan to their eligible employees, subject to the criteria provided in the Employer Participation Agreement. NDPERS requires 60-90 days to enroll a new group.

This information is intended to provide general information and may not be considered to be a legal interpretation. Statements contained in the Plan Document do not supersede the North Dakota Century Code, Administrative Code, PEP Document or Provider contract, or restrict the authority granted to the Retirement Board. This information is subject to changes made by the North Dakota legislature, by the Board of the North Dakota Public Employees Retirement System or its agents and the Internal Revenue System at any time.

Information on the NDPERS deferred compensation plan Provider Companies and investment options is available on our website at www.nd.gov/ndpers.

If you have any questions or concerns regarding the NDPERS Deferred Compensation Plan, please contact our office at 1-800-803-7377.

Eligibility

“Full-time” is defined as an employee who works at least 20 hours per week, 20 or more weeks per year in a fully-funded position, not of limited duration. All employees who meet this definition must be offered the opportunity to join the 457 deferred compensation plan.

Paid members of political subdivision boards, commissions or associations must be paid to be eligible to participate in the deferred compensation plan. Paid includes a per diem for each meeting.

Part-time/Temporary employees are **not** eligible to participate.

Enrollment

All employees must have a 31-day open enrollment period to apply for participation in the deferred compensation plan. Employees must complete an NDPERS 457 Deferred Compensation Plan Enrollment/Change form to enroll in the NDPERS deferred compensation plan. Employees may enroll in the deferred compensation plan **at a later date at any time** by completing the required form.

There is no minimum participation requirement on the part of the employer.

New Employer Group Enrollment Information

Minimum Contribution Requirement

NDPERS board requires that the minimum employee 457 contribution is \$25.00 per month. If an employer has more than one pay period in a month, the pay period contribution amount would be \$12.50.

The IRS determines the maximum contribution amount per calendar year. This information can be found on the NDPERS website.

EMPLOYER ENROLLMENT

In the event you wish to enroll in the 457 deferred compensation plan, an [Eligibility Assessment Questionnaire SFN 58781](#) must be completed and submitted to NDPERS to determine if your agency is an eligible political subdivision.

Upon receipt of the requested questionnaire, NDPERS and its legal council will review and determine if your agency is an eligible political subdivision. You will be contacted regarding your agency's qualification status.

In the event your agency qualifies, a signed board resolution is required prior to NDPERS sending your agency an "Employer Participation Agreement" and enrollment materials.

The board resolution must be stated as follows:

A motion was made by {Insert Board Member Name} for «Agency» to affirm to North Dakota Public Employees Retirement System that «Agency» is formed pursuant to N.D.C.C. § (Insert citation) and is neither a non—profit corporation nor a for-profit corporation, to join the NDPERS Deferred Compensation Plan and offer the plan to all eligible employees of the «Agency». The motion was seconded by {Insert Board Member Name}. The Board approved joining the NDPERS Deferred Compensation Plan effective {Month 1, Year}.

Timetable for Deferred Compensation Plan Enrollment

Contracts Received by NDPERS*	Applications, Notice of Appointment of Authorized Agent (SFN 17029) Must Be Completed and Returned to NDPERS*	Earliest Enrollment Effective Date **
January 13	February 15	April 1
February 13	March 15	May 1
March 13	April 15	June 1
April 13	May 15	July 1
May 13	June 15	August 1
June 13	July 15	September 1
July 13	August 15	October 1
August 13	September 15	November 1
September 13	October 15	December 1
October 13	November 15	January 1
November 13	December 15	February 1
December 13	January 15	March 1

* If the date listed falls on a Saturday, Sunday, or a holiday, the date listed is changed to the following business day.

** The enrollment effective date of an agency is dependent on if all criteria and guidelines are met in a timely manner. NDPERS has the right to change the effective employer participation date.