

# Defined Contribution Plan Summary Plan Description

UNIVERSITY  
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Listed below are telephone numbers and website and correspondence addresses for some of the resources UC employees routinely use.

#### **UC EMPLOYEE WEBSITE**

[ucnet.universityofcalifornia.edu](http://ucnet.universityofcalifornia.edu)

#### **RETIREMENT ADMINISTRATION SERVICE CENTER (RASC)**

[rasc.universityofcalifornia.edu](http://rasc.universityofcalifornia.edu)

**Secure message (email):** Sign in to your UCRAYS account at [retirementatyourservice.ucop.edu](http://retirementatyourservice.ucop.edu) and select “Messages”

**Survivor and beneficiary support:** 1-888-825-6833  
(includes after-hours voicemail option)

**RASC main line:** 1-800-888-8267, Monday–Friday,  
7 a.m. to 4:30 p.m. (PT)

**International callers:** 1-510-987-0200

**Mail:** UC Retirement Administration Service Center,  
P.O. Box 24570, Oakland, CA 94623-1570

**Fax:** 1-800-792-5178

#### **LOCAL BENEFITS OFFICES**

Your local Benefits Office is a resource for answers to questions about your benefits and for benefits publications and forms. The following is a contact list for local campus and lab Benefits Offices.

**UC Berkeley:** 510-664-9000, option 3

**UC Davis:** 530-752-1774

**UC Davis Health:** 916-734-8099

**UC Irvine:** 949-824-0500

**UC Irvine Health:** 949-824-0500

**UCLA:** 310-794-0830

**UCLA Health:** 310-794-0500

**UC Merced:** 209-355-7178

**UC Riverside:** 951-827-4766

**UC San Diego:** 858-534-2816

**UC San Diego Health:** 619-543-3200

**UCSF:** 415-476-1400

**UCSF Health:** 415-353-4545

**UC Santa Barbara:** 805-893-2489

**UC Santa Cruz:** 831-459-2013

**Agriculture & Natural Resources:** 530-752-1774

**ASUCLA:** 310-825-7055

**UC Law San Francisco:** 415-565-4703

**UC Office of the President:** 855-982-7284

**Lawrence Berkeley National Lab:** 510-486-6403

#### **UC RETIREMENT AT YOUR SERVICE (UCRAYS)**

[retirementatyourservice.ucop.edu](http://retirementatyourservice.ucop.edu)

Sign in to your account to send a secure message

#### **UC RETIREMENT CHOICE AND RETIREMENT SAVINGS PROGRAM**

[myUCretirement.com](http://myUCretirement.com)

866-682-7787 (Fidelity Retirement Services)

#### **INVESTMENT OVERSIGHT**

##### **UC Office of Chief Investment Officer**

Chief Investment Officer’s website: [ucop.edu/investment-office](http://ucop.edu/investment-office)

Written correspondence should be sent to:  
Office of the Chief Investment Officer of The Regents  
University of California  
Office of the President  
1111 Franklin St  
Oakland, CA 94607-9828

#### **IF YOU MOVE**

If you are an active UC employee, you can change your address through your online benefits account, and Fidelity will be notified automatically. If you are no longer working for UC, please notify Fidelity Retirement Services directly by calling 866-682-7787 or by logging into [netbenefits.com](http://netbenefits.com), your Fidelity website.

# Defined Contribution Plan: Summary Plan Description

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The University of California offers eligible employees of the University and its affiliate, UC Law San Francisco (formerly UC Hastings), a tax-qualified retirement plan to provide primary and supplemental retirement benefits. The Plan is a defined contribution plan under §401(a) of the Internal Revenue Code (the IRC). Future benefits from the Defined Contribution Plan (DC Plan) are comprised of contributions made to the DC Plan plus investment earnings. Employer contributions are subject to vesting.

The designated Plan Administrator of the DC Plan is the Vice President, Human Resources (VP-HR). The Office of the Chief Investment Officer (OCIO) is responsible for monitoring a broad range of professionally managed investment options available to Plan participants. Currently, Fidelity Retirement Services performs recordkeeping duties. The relevant contact information is on the inside front cover. The Plan Administrator administers the DC Plan for the sole benefit of Plan participants and their beneficiaries. Participants may want to consult a tax advisor or financial planner before enrolling to make voluntary after-tax contributions. Individual investment strategies should reflect the participant's personal savings goals and tolerance for financial risk. UC, the Regents, the Office of the Chief Investment Officer, UC Human Resources and Fidelity Retirement Services are not liable for any loss that may result from participants' investment decisions. This plan summary reflects the Plan provisions as in effect on July 1, 2024.

# DC Plan Pretax Account: Participation and Eligibility

The DC Plan has separate accounts for pretax and after-tax contributions. The Pretax Account holds employer contributions and mandatory employee contributions from eligible members of the following groups:

- Savings Choice participants
- Pension Choice participants who are eligible for the supplemental DC Plan account
- Safe Harbor participants
- Summer Salary (paid prior to Nov. 1, 2016)
- Members of the UCRP 1976 Tier with UCRP contributions redirected to the DC Plan Pretax Account

In accordance with IRC §414(h), mandatory contributions to the Pretax Account are deducted from gross salary, and income taxes are calculated on remaining pay, thus reducing the participant's taxable income. Taxes on contributions and any investment earnings are deferred (that is, postponed) until the participant withdraws the money.

The After-Tax Account contains voluntary employee contributions that are deducted from a participant's net income. Participants may want to consult a tax advisor or financial planner before enrolling as IRC maximum contribution limits apply.

The information in this section pertains primarily to the DC Plan Pretax Account. References are made to the DC Plan After-Tax Account when the same information applies.

## COLLECTIVE BARGAINING

The provisions of the Plan are subject to collective bargaining for represented employees. Terms and conditions of employment for exclusively represented employees are spelled out in the detailed contracts that the university and the unions have negotiated. If you are in a bargaining unit, you can find the contract that applies to you on the Labor Relations website ([ucal.us/laborrelations](http://ucal.us/laborrelations)), or directly from the union.

## PARTICIPATION IN THE DC PLAN PRETAX ACCOUNT IS MANDATORY FOR:

- Savings Choice participants
- Pension Choice participants who are eligible for the supplemental DC Plan account
- Safe Harbor participants

## ELIGIBILITY FOR SAVINGS CHOICE

You are eligible for a choice of primary retirement benefits (Savings Choice or Pension Choice) if you:

- Are hired on or after July 1, 2016, into an eligible faculty or career staff appointment (at least 50 percent time on a fixed or variable basis for one year or longer)
- Are rehired on or after July 1, 2016, into an eligible faculty or career staff appointment after a break in UC service (between one and two months), unless you were originally hired by UC before July 1, 1994, or
- Are hired in an ineligible position and become eligible for benefits on or after July 1, 2016, either by completing an hours requirement or by obtaining an eligible faculty or career staff appointment

Employees who are hired on or after July 1, 2016, in Safe Harbor positions may become eligible for a choice of primary retirement benefits after working 750 hours or 1,000 hours in a rolling, continuous 12-month period, depending upon job classification. (Employees in a Non-Senate Instructional Unit qualify for a choice of primary retirement benefits after working 750 hours in an eligible position.) Eligibility is effective no later than the first of the month following the month in which 1,000 hours (or 750 hours) is reached.

## Exceptions:

A University employee is not eligible for UC primary retirement benefits if the employee:

- Is at the University primarily to obtain education or training
- Receives pay under a special compensation plan but receives no covered compensation (see "Covered Compensation for Savings Choice and Pension Choice" on page 8)
- Is in a per diem, floater or casual restricted appointment
- Is appointed as a Regents' Professor or Regents' Lecturer
- Is an employee hired as a visiting appointee

## SECOND CHOICE WINDOW TO SWITCH FROM SAVINGS CHOICE TO PENSION CHOICE

Savings Choice participants have a window of opportunity to switch prospectively from Savings Choice to Pension Choice, and become members of the UC Retirement Plan (UCRP). The second choice window for Savings Choice participants opens on January 1 of the fifth anniversary of the calendar year in which they made their initial election.

A move from Savings Choice to Pension Choice is effective on July 1 (the beginning of the plan year) following your election, if your election is postmarked on or before May 31.

A switch from Savings Choice to Pension Choice is a change in your primary retirement benefits going forward; it is not retroactive. A switch to Pension Choice during your second choice window means:

- Your Savings Choice account balance will remain yours. Contributions (from you and UC) to your Savings Choice account will stop on the date the change takes effect.

- The service credit you earned as a participant in Savings Choice will count toward your retiree health benefits and toward vesting in UCRP and in your Pension Choice supplemental account (if you have one). You will begin earning UCRP service credit toward the calculation of your pension benefit on the date your switch to Pension Choice takes effect.
- You will remain in the pension plan for the remainder of your career, even if you separate and return. Participants in Pension Choice may not switch to Savings Choice.

### ELIGIBILITY FOR SUPPLEMENTAL DC PLAN ACCOUNT UNDER PENSION CHOICE

Participants eligible for a supplemental DC Plan Pretax Account under Pension Choice include:

- Designated faculty, defined as those in the following positions:
  - Ladder-rank faculty and equivalent titles (Professorial and Equivalent titles, which include Agronomists, Astronomers, Clinical Professor of Dentistry (over 50%) and Supervisor of Physical Education)
  - Professor in Residence series
  - Professor of Clinical (X) series
  - Acting full, associate and assistant professors
  - Lecturers/Senior Lecturers (full-time) with Security of Employment or Potential Security of Employment (excluding UC Law San Francisco/Senior Lecturers)
  - Adjunct Professor series
  - Health Science Clinical Professor series
- Eligible staff and other academic appointees with covered compensation above the 2013 California Public Employees' Pension Reform Act (PEPRA) maximum \$151,446 for the plan year beginning in 2024.

### ELIGIBILITY FOR SAFE HARBOR PARTICIPANTS

These participants include part-time, seasonal, temporary UC employees who are not eligible for primary retirement benefits and whose wages are not subject to Social Security taxes. Also included in this category are non-exempt UC student employees who do not satisfy certain course-load requirements and resident aliens with F-1 and J-1 visa status. This category does not include students whose wages from University employment are exempt from taxation under the Federal Insurance Contribution Act (FICA) and nonresident aliens with F-1 or J-1 visa status or whose wages are subject to foreign (i.e., their home country) taxes or contributions under a Social Security totalization agreement.

Enrollment for Safe Harbor participants is automatic and begins on the first day of an eligible appointment.

## Contributions

Mandatory employee contributions to the DC Plan Pretax Account may come only from income paid through the UC payroll system. Employees may also roll over money from other employer-sponsored plans, including the taxable portion of a lump sum or CAP distribution from the University of California Retirement Plan (UCRP; see "Rollovers: Into the Plan" on page 15).

Mandatory employee contributions to the Pretax Account appear on employees' W-2 forms in the box marked "Other"; they are not reported as taxable income.

Mandatory employee contributions to the DC Plan Pretax Account are deducted from gross salary (after certain pretax deductions including medical plan premiums), and income taxes are calculated on remaining pay (after all pretax deductions have been applied). Although mandatory pretax contributions reduce taxable income, they do not reduce any other salary-related University benefits such as vacation or sick leave, life or disability insurance benefits, or benefits payable from UCRP.

Mandatory employee contributions may be affected by UC guidelines about covered compensation (also referred to as "eligible pay;" see page 8) and by IRC limitations on contributions (see page 9).

DC Plan participation may affect the income tax deductibility of any contributions you make to a traditional Individual Retirement Account (IRA). IRA contributions may still qualify for a full or partial tax deduction, depending on your adjusted gross income and tax filing status. Participants concerned about the impact of DC Plan contributions on deductible IRA contributions should consult a tax advisor.

### SAVINGS CHOICE CONTRIBUTIONS

Participants in Savings Choice make mandatory pretax contributions of 7 percent of covered compensation, up to the annual IRC maximum. UC contributes 8 percent of covered compensation, up to the IRC maximum.

### SUPPLEMENTAL DC PLAN ACCOUNT CONTRIBUTIONS UNDER PENSION CHOICE

For Pension Choice participants eligible for the DC Plan supplemental account, the mandatory employee pretax contribution is 7 percent on covered compensation over the PEPRA maximum (\$151,446 for the Plan year beginning in 2024), up to the IRC maximum (\$345,000 in 2024).

# Contributions

UC's contributions to this benefit vary depending on job type. For designated faculty (as defined on pages 6–7), UC contributes 5 percent on all covered compensation up to the IRC maximum. For other academic appointees and eligible staff with pay above the PEPPA maximum, UC contributes 3 percent on pay above the PEPPA maximum up to the IRC maximum.

## **COVERED COMPENSATION (ELIGIBLE PAY) FOR SAVINGS CHOICE AND PENSION CHOICE**

Contributions to the Savings Choice account or the supplemental DC Plan account under Pension Choice are based on covered compensation (or eligible pay). This is the gross monthly pay that an active participant receives for a regular and normal appointment, including pay while on sabbatical or other approved leave of absence with pay. Covered compensation does not include:

- Pay for overtime unless in the form of compensatory time off
- Pay for correspondence courses, summer session, intersession and for interquarter or vacation periods or University extension courses, unless such employment constitutes part of an annual or indefinite appointment
- Pay for a position that is not normally full time except if paid on a salary or hourly rate basis
- Pay that exceeds the full-time rate for the regular, normal position to which the member is appointed
- Pay that exceeds the base salary (X+X') as negotiated under the Health Sciences Compensation Plan
- Pay that exceeds the established base pay rates, including non-elective deferred compensation, honoraria and consulting fees
- Payments received as uniform allowance, unless included as part of compensation for a regular and normal appointment
- Pay that exceeds the IRC §401(a)(17) dollar limit; beginning July 1, 2024, earnings limit is \$345,000 (\$505,000 for UCRP Members with an original UCRP entry date prior to July 1, 1994, considered "grandfathered employees" by the IRS)
- Payments received as a faculty recruitment allowance or housing allowance
- Pay from sources other than the University of California

## **PEPPA MAXIMUM**

For those participants subject to the PEPPA limit, the maximum covered compensation (or eligible pay) that counts toward UCRP pension benefits is consistent with the maximum on pensionable earnings under PEPPA. This maximum also applies to many other California public pension plans and is reviewed annually and may

be adjusted. For the Plan year beginning in 2024, the maximum is \$151,446 (\$181,734 for members not paying into Social Security). The PEPPA maximum applies to most people who are hired into an eligible faculty or career staff appointment on or after July 1, 2016, **and** who participate in Pension Choice. In the DC Plan, the PEPPA maximum plays a role in determining the amount of the employer contribution toward the DC Plan supplemental account. However, the PEPPA maximum does not apply to those participating in Savings Choice.

## **SAFE HARBOR CONTRIBUTIONS**

Safe Harbor participants (part-time employees and non-exempt students who are not eligible for the Retirement Choice Program or membership in UCRP) make mandatory contributions of 7.5 percent to the DC Plan Pretax Account.

These contributions will stop for Safe Harbor participants who become eligible for the University's primary retirement benefit options. Instead, mandatory pretax employee and employer contributions will be made to the applicable primary retirement benefit plan(s).

Money accumulated in the Pretax Account remains in the Plan until the participant leaves employment and takes a distribution (see "Distributions: Former Employees," on page 11).

## **LEAVES OF ABSENCE**

Mandatory employee contributions to the Pretax Account stop during a leave without pay and resume automatically upon return to pay status in an eligible position.

For sabbatical leaves or administrative leaves with pay during which employees earn less than 100 percent of regular compensation, contributions continue based on compensation (including paid vacation or sick leave) earned during the leave.

Special rules may allow participants on military leave to "make up" Pretax Account contributions that would have been credited to their account during the military leave. Local Benefits Offices can provide more information.

## **TERMINATION OF EMPLOYMENT**

If a participant leaves UC employment, contributions to the Plan stop automatically. The options available for a participant's accumulations are described in "Distributions: Former Employees" (see page 11).

## Vesting

### **REAPPOINTMENT**

If a participant leaves employment or retires and is later rehired into an eligible position, contributions to the Plan may resume again, depending on the participant's employment status. The participant once again becomes subject to the rules governing active Plan participation.

Safe Harbor participants who leave employment and who are later rehired into another position eligible for Safe Harbor participation will be re-enrolled automatically.

### **LIMITATIONS ON COMPENSATION AND CONTRIBUTIONS**

Section 401(a)(17) of the IRC sets a dollar limit for annual earnings on which contributions to the DC Plan may be made. The earnings limit in 2024 is \$345,000 for those who became participants on July 1, 1994, or later (\$505,000 for those who became participants before July 1, 1994).

To comply with the IRC §415(c) contribution limit (\$69,000 in 2024) and to protect the Plan's qualified status with the IRS, the Plan Administrator annually monitors contributions made for participants. If, due to reasonable error, the 415(c) limit is exceeded for the year, a participant's after-tax contributions, adjusted for income or losses, will be refunded to the extent necessary to come within the limit. Although the earnings are subject to ordinary income taxes for the year in which the excess amount is refunded, they are not subject to the penalty taxes on early distributions.

The earnings on excess contributions are not eligible for rollover.

### **INVESTMENT OF CONTRIBUTIONS**

Participants choose the investment options in which they want to invest their contributions. The investment options are explained on page 14. If participants do not make a choice, their contributions are automatically invested in the UC Pathway Fund with a target date near the participant's expected retirement date.

Participants may exchange (transfer) accumulations in the Plan among the investment options at any time. Direct exchanges between certain investment options may be prohibited. See the Fidelity Retirement Services website ([netbenefits.com](https://netbenefits.com)) for more information.

To vest means to acquire certain rights in the benefits you accrue. Once vested, you generally have a non-forfeitable right to receive your Plan account balance subject to the plan's distribution rules.

Your own employee contributions (including your rollover contributions) and related investment earnings on those amounts are immediately vested, regardless of account type. UC contributions on summer salary paid into the Plan prior to Nov. 1, 2016, are also immediately vested.

### **VESTING FOR SAVINGS CHOICE**

If you remain actively employed, the employer portion of your Savings Choice account will vest one year after your eligibility date or, if earlier, on the date of your death.

### **VESTING FOR SUPPLEMENTAL DC ACCOUNT UNDER PENSION CHOICE**

If you remain actively employed, the employer portion of your supplemental account under the Pension Choice option will become vested when you have earned five years of UCRP service credit<sup>1</sup>, or, if earlier, on the date of your death.

### **FORFEITURE OF NON-VESTED MONIES**

Non-vested employer monies in a Savings Choice or supplemental savings account will be forfeited to the Plan upon the earlier of a distribution of all of your vested monies or after you have a 12-month period of severance.

<sup>1</sup> See pages 7 and 11 of A Complete Guide to Your UC Retirement Benefits for information about UCRP vesting and Refund of Accumulations.

# Retiree Health Service Credit

Employees eligible for primary retirement benefits (such as Pension Choice or Savings Choice) accrue retiree health service credit, which is used to determine eligibility for retiree health benefits offered by UC. Retiree health benefits are not a vested benefit. That means these benefits are not guaranteed and that UC's contributions to the cost of the benefits may change or be discontinued at any time.

Retiree health and welfare benefits are subject to collective bargaining for current employees who are represented by a union.

Retiree health service credit is earned whenever you receive covered compensation for an eligible appointment once you have enrolled in either Pension Choice or Savings Choice. The maximum that you can earn for a year of full-time work is one year of retiree health service credit. Part-time or variable-time work results in a proportionate amount of retiree health service credit. For example, if you work 50 percent time for one year, you receive one-half year of retiree health service credit.

Savings Choice participants do not have the option to purchase retiree health service credit for any type of leave, or after forfeiting retiree health service credit from previous appointments by taking a full refund or rollover of their Savings Choice accumulations.

## **PARTIAL-YEAR CAREER APPOINTMENTS**

If you work full time during a 9-, 10-, or 11-month partial-year appointment, you earn one year of retiree health service credit for each Plan year. If you work part time during a partial-year appointment, you earn proportionate retiree health service credit. For example, if you work 50 percent time during a partial-year appointment, you earn one-half year of retiree health service credit.

## **MILITARY LEAVE**

If you return to University service in accordance with your reemployment rights following a military leave, you receive retiree health service credit for the time spent in uniformed service and for a period following uniformed service, provided you return to work when the leave ends and satisfy other applicable requirements.

You earn retiree health service credit for military leave at the same rate earned during the 12 months of continuous service just before the leave. For example, if you earned three-fourths of a year of retiree health service credit in the 12 months just before military leave, you will earn three-fourths of a year of retiree health service credit for a year of military leave.

The Retirement Administration Service Center or your local Benefits Offices can provide more information about establishing retiree health service credit for military leaves.

## **LEAVE WITHOUT PAY**

You do not earn retiree health service credit during a leave without pay.

## **SABBATICAL OR PAID LEAVE**

During a sabbatical or paid leave, you earn retiree health service credit in proportion to the percentage of full-time pay (i.e., covered compensation) you receive. For example, if you are on sabbatical leave at two-thirds pay for one year, you receive two-thirds of a year of retiree health service credit.

## **EXTENDED SICK LEAVE**

You earn up to 80 percent of retiree health service credit for periods of extended sick leave during which you receive Workers' Compensation.

## **PAST SERVICE**

If you have accumulated retiree health service credit as a Savings Choice participant and you leave UC, you can retain your retiree health service credit as long as you maintain some Savings Choice accumulations and an overall account balance of at least \$2,000 in the DC Plan. If you later return to UC and restart participation in Savings Choice, you can build on the retiree health service credit you accumulated during your initial period of employment.

If you take a full refund or rollover of Savings Choice accumulations before beginning retiree health benefits, or if you trigger an automatic distribution by letting your DC Plan account balance fall below \$2,000, you forfeit your accumulated retiree health service credit (and it cannot be restored if you return to UC).

## **DEFINITION OF RETIREMENT FOR SAVINGS CHOICE PARTICIPANTS**

For Savings Choice participants, the date that retiree health benefits coverage begins is treated as the retirement date. Once retiree health benefits coverage has begun, Savings Choice participants can withdraw funds according to Plan rules without affecting their continuing eligibility for retiree health benefits. Savings Choice participants who begin receiving retiree health benefits are subject to all the rules for the re-employment of retired employees.

# Distributions

Distribution timing rules vary depending on the participant's employment status.

**Savings Choice Participants:** Please see "Past Service" on page 10 before making a decision about taking a distribution of your DC Plan Savings Choice accumulations. If you take a full refund or rollover of Savings Choice accumulations before beginning retiree health benefits, or if you trigger an automatic distribution by letting your DC Plan account balance fall below \$2,000, you forfeit your accumulated retiree health service credit.

## CURRENT UC EMPLOYEES

The Plan permits DC Plan Pretax Account distributions to current employees if they are 59½ or older. Pretax Account distributions are also permitted if you leave employment.

Current employees may also take a distribution of money that they rolled over into the DC Plan from another employer-sponsored plan, including earnings on the amount rolled over (see "Rollovers: Into the Plan" on page 15).

## FORMER EMPLOYEES

Former employees may take a distribution of the vested portion of their Pretax Account balance at any time. Participants who leave University employment have the following payment options for vested assets in the DC Plan:

- Leave the assets in the Plan if the vested Plan balance, including any After-Tax Account balance, totals at least \$2,000. Although participants may no longer contribute, they may transfer money among the investment fund options, subject to the transfer/exchange rules, and roll over money into the Plan.
- Take a full or partial distribution (payable to the participant or can be directly rolled over to a traditional IRA, Roth IRA or employer-sponsored plan).
- Arrange for systematic withdrawals. This option enables the participant to receive regular, periodic distributions without having to make a specific request for each one.

The following rules apply to distributions of small accounts after the participant has terminated UC employment:

- If the vested value of the participant's accumulations is less than \$2,000, but more than \$1,000, and the participant fails to provide distribution directions, the participant's vested accumulations will be rolled over to an IRA custodian designated by the Plan Administrator in an account maintained for the participant.
- If the vested value of the participant's accumulations is \$1,000 or less, and the participant fails to provide distribution

directions, the participant's vested accumulations will be paid directly to the participant at the address of record.

**All distributions are subject to Fidelity Retirement Services and payroll deadlines. No distributions can be made until all payroll activity is complete, which can take from 31 to 60 days.**

## BENEFICIARIES

Participants should designate a beneficiary to receive their assets in the DC Plan in the event of death. A participant may not name one beneficiary to receive assets in the Pretax Account and another beneficiary to receive any assets in the After-Tax Account. Participants may, however, name more than one beneficiary and specify the percentage of the total Plan balance that each beneficiary is to receive. A beneficiary may be a person, trust or organization.

Subject to restrictions on small accounts, beneficiaries may elect to take their benefit as a lump sum or in periodic payments over a term that meets the Internal Revenue Code requirements on minimum distributions. If a beneficiary fails to make an election, the benefit will be distributed to the beneficiary in a lump sum by the last day of the calendar year in which the fifth anniversary of the participant's death occurs.

Spousal beneficiaries also have the option to roll over the taxable portion of money from the participant's account into a traditional IRA, a Roth IRA or to an employer plan that will accept a rollover, either directly or within 60 days of receipt of the distribution. Non-spouse beneficiaries may elect a direct rollover to an inherited traditional or Roth IRA.

If no beneficiary has been named, or if the beneficiary dies before the participant, the DC Plan rules require that any amount remaining be distributed to the participant's survivors in the following order of succession:

- Surviving spouse or surviving domestic partner or, if none,
- Surviving children, biological or adopted, on an equal-share basis (children of a deceased child share their parent's benefit) or, if none,
- Surviving parents on an equal-share basis or, if none,
- Brothers and sisters on an equal-share basis or, if none,
- The participant's estate

A will or trust does not supersede a designation of beneficiary, nor does either supersede the Plan's "default" beneficiary rules (described above) that apply in the absence of a valid beneficiary designation.

It is the participant's responsibility to keep information on beneficiaries, including addresses, up to date. The address of record is binding for all purposes of the DC Plan.

# Distributions

You can name or change your beneficiary information by contacting Fidelity Retirement Services (866-682-7787 or [netbenefits.com](https://netbenefits.com)).

## COMMUNITY PROPERTY

Married participants and registered domestic partners who designate someone other than their spouse or partner as a beneficiary may need to consider the spouse's or partner's community property rights. For residents of a community property state such as California, a designation of beneficiary may be subject to challenge if the spouse or partner would consequently receive less than the share of the benefit attributable to community property.

Procedures established for UCRP are used to determine whether a domestic partner is included in the order of succession above. Generally, the procedures require that an individual must be designated as a participant's domestic partner by one of four possible methods:

- Registration of the domestic partnership with California's Secretary of State
- Registration of a union, other than marriage, validly formed in another jurisdiction, that is substantially equivalent to a California domestic partnership or
- Enrollment of the domestic partner in UC-sponsored health benefits and successful completion of the eligibility verification process (note that enrolling your partner in benefits that do not require eligibility verification, including the Postdoctoral Scholars Benefit Program and the Graduate Student Health Insurance Plan, will not establish your partner as your survivor for UCRP benefits)
- Filing of a UC *Declaration of Domestic Partnership* form (UBEN 250) with the UCRP administration

If a member dies before filing a UC *Declaration of Domestic Partnership*, only documentation from the first three methods may be used to establish a domestic partnership.

## TAXES ON DISTRIBUTIONS

A distribution from the DC Plan Pretax Account is generally taxed as ordinary income in the year it is issued. Note, however, that there are specific federal tax withholding rules that apply to all distributions from retirement savings and investment plans. For more information about the tax treatment of Plan distributions, read the special tax notice provided by Fidelity Retirement Services before requesting a distribution. The tax rules are quite complex; for this reason, participants considering a distribution from the Plan are strongly encouraged to consult a tax advisor.

Participants who choose to take a distribution are responsible for satisfying the distribution rules and for any tax consequences.

Distributions to participants are reported annually on IRS Form 1099-R, which is sent in January following the calendar year in which the distribution was issued.

## EARLY DISTRIBUTION PENALTIES

In addition to being taxed as ordinary income, the taxable portion of distributions taken before age 59½ (early distributions) may be subject to nondeductible federal and state penalty taxes—currently a 10 percent federal tax and a 2.5 percent California state tax, unless:

- The distribution is made to a participant who leaves UC employment during or after the year the participant reaches age 55
- The participant is permanently disabled under IRS rules, or dies
- The participant receives a series of substantially equal distributions over the participant's life/life expectancy (or the lives/life expectancies of the participant's beneficiaries)
- The distribution does not exceed deductible medical expenses for the taxable year
- The distribution is paid to an alternate payee under a QDRO
- The distribution is made on account of certain tax levies or
- The distribution is made on account of other exceptions defined by the IRS

Early distribution penalties are not assessed when a distribution is paid. Participants who are subject to the penalties are responsible for reporting them to the IRS when they file their income tax returns.

## REQUIRED MINIMUM DISTRIBUTIONS

Participants must begin receiving minimum distributions from the Plan by April 1 of the calendar year following the later of:

- The year in which they leave University employment
- The year in which they reach age 73 (for individuals who turn 72 on or after January 1, 2023)

Participants who do not receive minimum distributions by the required dates, or who receive less than the minimum amount the law requires, must pay a nondeductible 50 percent excise tax on the difference between the amount that should have been received and the amount received.

Required minimum distributions are not eligible for rollover.

Required minimum distributions are calculated in accordance with U.S. Treasury regulations.

# DC Plan After-Tax Account Contributions

## **The information that follows pertains specifically to the DC Plan After-Tax Account.**

All employees of UC and UC Law San Francisco—except students who normally work fewer than 20 hours per week—are eligible to make voluntary contributions to the After-Tax Account.

Contributions to the After-Tax Account may be made only through payroll deduction and may only come from income paid through the UC payroll system. Contributions are not permitted from any other source.

Contributions to the After-Tax Account are deducted from your pay after income taxes have been deducted. Taxes on the investment earnings only are deferred until you withdraw the money.

## **LEAVES OF ABSENCE**

Contributions to the After-Tax Account stop during a leave without pay and resume automatically at the same rate upon return to pay status, unless the participant cancels them.

For sabbatical leaves or administrative leaves with pay during which employees earn less than 100 percent of regular compensation, contributions continue in the same amount as elected before the leave. Because contributions remain the same while compensation decreases, it is important for participants to review their contribution amount before going on a paid leave.

Special rules may allow participants who return from military leave to “make up” After-Tax Account contributions that would have been credited to their account during the military leave. Local Benefits Offices can provide more information.

During paid vacation or sick leave, contributions continue in the same amount.

## **TERMINATION OF EMPLOYMENT**

The options that are available to After-Tax Account participants who leave UC employment are described in “Distributions” on page 14.

## **REAPPOINTMENT**

If you leave UC employment and are later rehired into an eligible position, you may begin contributing to the After-Tax Account again.

## **CONTRIBUTION AMOUNTS**

The maximum amount participants may contribute annually to the After-Tax Account is determined by the IRC §415(c) limit. Generally, this amount is the lesser of:

- 100 percent of the participant’s adjusted gross UC salary or
- \$69,000 (in 2024)

This limit applies to all annual additions as defined in IRC §415(c) including employer contributions to the DC Plan and mandatory employee pretax contributions to the DC Plan. Note that contributions to Savings Choice or Pension Choice supplemental accounts may reduce the amount participants may contribute to the DC Plan After-Tax Account.

Participants may contribute to the After-Tax Account over 12 months or consolidate contributions in as few pay periods as desired. If you decide to consolidate contributions, however, you are responsible for canceling them once you reach your maximum annual contribution limit (see “Limitations on Compensation and Contributions” on page 9). Neither the University nor UC Human Resources is responsible for individual tax consequences if a participant’s after-tax payroll deductions exceed the 415(c) limit.

## **LIMITATIONS ON CONTRIBUTIONS**

The limitations on contributions are described on page 9.

## Distributions

Participants may take a full or partial distribution of their money in the After-Tax Account at any time.

Retiree and former employee participants have additional options for their money in the DC Plan (see “Distributions: Former Employees” on page 11).

### **TAXES ON DISTRIBUTIONS**

The taxable portion of a distribution from the After-Tax Account is taxed as ordinary income in the year the distribution is issued. Participants may not take a distribution of contributions alone (the amount on which they have already paid taxes). Each distribution must include earnings in the same proportion that the earnings bear to contributions in the account. Therefore, unless the earnings are rolled over (or there is a net loss), all distributions are partially taxable.

As previously discussed, specific federal tax-withholding rules apply to all distributions from retirement savings plans. For more information about the tax treatment of After-Tax Account distributions, read the special tax notice provided by Fidelity Retirement Services before requesting a distribution. Participants considering a distribution from the After-Tax Account are also strongly encouraged to consult a tax advisor.

### **EARLY DISTRIBUTION PENALTIES**

The early distribution penalties for the Pretax Account as described on page 12 also apply to the tax-deferred earnings portion of the DC Plan After-Tax Account.

### **REQUIRED MINIMUM DISTRIBUTIONS**

The minimum distribution rules are described on page 12.

## Additional DC Plan Information

### **INVESTMENT OPTIONS**

Plan participants can choose from a broad range of professionally managed investment options that are monitored by the Office of the Chief Investment Officer of the Regents (OCIO) based on criteria established by the Regents. The UC Retirement Savings Program (UC RSP) fund menu includes the UC Pathway Funds, each of which adjusts its asset mix as the fund approaches its target date, plus additional investment funds that represent a comprehensive range of asset classes with different objectives and risk and return characteristics. Most funds offered on the UC RSP fund menu are designed to have lower expenses than many similar publicly traded mutual funds. A complete description of each of these options is available on [netbenefits.com](http://netbenefits.com).

Participants may also invest in mutual funds that are not included in the UC RSP fund menu by opening a self-directed brokerage window account. Participants must agree to the terms and conditions that govern the account, including an acknowledgment of the risks involved and the special fees that may apply.

Information about investment objectives, risks, changes and expenses of all options is available, free of charge, from Fidelity Retirement Services ([netbenefits.com](http://netbenefits.com) or 866-682-7787).

### **PLAN ADMINISTRATION AND FEES**

The Vice President of Human Resources is the Plan Administrator with responsibility for the day-to-day management and operation of the Plan. The Office of the Chief Investment Officer (OCIO) selects and monitors the investment options available under the Plan.

### **INVESTMENT MANAGEMENT FEES**

Funds that are included in the UC RSP fund menu charge an investment management fee (i.e., expense ratio), which is netted from the investment experience of the funds. There are no front-end or deferred sales loads or other marketing expenses charged by funds that are included in the UC RSP fund menu.

### **ADMINISTRATIVE FEES**

A quarterly fee will be deducted from your account balance for administrative services. The administrative services fee covers expenses for recordkeeping services for your account(s), communications, financial education, internal UC staff support for the Plan, and other non-investment services. If you have more than one Retirement Savings Program account (for example, a 403(b) Plan account and a DC Plan account), you will be charged only one administrative services fee per quarter.

## **ROLLOVERS: INTO THE PLAN**

Participants may move eligible retirement funds from a previous employer plan or an IRA to the DC Plan via a rollover. The DC Plan accepts rollovers of pretax distributions from:

- Other employer-sponsored plans, including 401(a), 401(k), 403(b) and governmental 457(b) plans
- Lump sum cashouts and CAP distributions from the UC Retirement Plan
- Traditional IRAs

The DC Plan also accepts direct rollovers of after-tax amounts from 401(a), 401(k) and 403(b) plans.

To roll over money directly from another employer-sponsored plan to UC's DC Plan, the participant must arrange to have the former plan's trustee or plan administrator write a check for the distribution, payable to "Fidelity Investments Institutional Operations Company, Inc. (FIIOC)." As long as the check is payable directly to FIIOC (not to the participant), no taxes will be withheld from the distribution, and the money will retain its tax-deferred status.

If a participant takes a distribution from a former employer's plan, including UCRP, and the check is payable to the participant, the participant can also roll over the taxable portion of the money into the DC Plan, as long as the rollover is made within 60 days after receiving the distribution. To roll over 100 percent of the taxable portion of the distribution, the participant must replace from personal savings or other sources an amount equal to the taxes that were withheld when the distribution was issued.

## **ROLLOVERS: FROM THE PLAN**

Virtually all DC Plan pretax distributions are eligible for direct rollover (payable to a traditional IRA or another employer plan). As long as the check for the distribution is payable directly to the employer plan or IRA custodian, no taxes will be withheld and the money will retain its tax-deferred status. If made payable to the participant, distributions are subject to mandatory 20 percent federal tax withholding. Distributions made to non-spouse beneficiaries are eligible for direct rollovers to an inherited IRA.

DC Plan After-Tax distributions are eligible for direct rollovers to certain employer plans and conversion rollovers to a Roth IRA.<sup>2</sup>

Participants may also roll over an eligible DC Plan distribution that has been paid to them, as long as the rollover to the IRA or new plan occurs within 60 days of receipt of the distribution. A participant who wants to roll over 100 percent of the distribution must replace from personal savings or other sources an

amount equal to the taxes that were withheld when the distribution was issued. Any amount not rolled over will be taxed as ordinary income for the year in which the distribution was issued. It may also be subject to the early distribution penalties.

DC Plan distributions that are not eligible for direct rollover include:

- Required minimum distributions
- Refunds of excess contributions (plus investment earnings) to the After-Tax Account and
- Systematic withdrawals

## **ACCOUNT ACTIVITY**

To help participants better understand the Plan's benefits and effectively manage their accounts, Fidelity Retirement Services provides personalized account information via two electronic sources.

- Participants who have Internet access can find current, comprehensive information about their accounts and make certain online Plan transactions by visiting the Fidelity Retirement Services website ([netbenefits.com](http://netbenefits.com)).
- Participants can retrieve personal financial information about their accounts and make transactions on the Fidelity Retirement Services toll-free telephone line (866-682-7787).

Annual reports containing audited financial statements are available on the UC Office of the President website ([ucal.us/UCRSannualreport](http://ucal.us/UCRSannualreport)) or from the UC Retirement Administration Service Center (see inside front cover).

Plan summaries are available on UCnet, the Fidelity Retirement Services website or from your local Benefit Offices or the UC Retirement Administration Service Center.

Participants may view the University of California Defined Contribution Plan document online ([ucal.us/UCRSdocuments](http://ucal.us/UCRSdocuments)).

Participants should read the complete descriptions of the investment funds and accompanying Plan materials before making any investment decisions.

All notices or communications to a participant or beneficiary will be effective when sent by first-class mail or conveyed electronically to the participant's address of record. The University and the Regents are entitled to rely exclusively upon any notices, communications or instructions issued in writing or electronically conveyed by UC Human Resources that are believed to be genuine and to have been properly executed.

<sup>2</sup> It is recommended that participants considering a conversion rollover to a Roth IRA consult with a financial or tax advisor.

## Additional DC Plan Information

### **CLAIMS PROCEDURES**

If Fidelity Retirement Services is unable to verify a claimant's right to a benefit within a short period of time, the claimant will be notified of the need to forward a written request to the attention of the UC Contract Administrator, UC Human Resources, P.O. Box 24570, Oakland, CA 94623-1570, who will review the claim on behalf of the Plan Administrator. The request should include all relevant information. Within 90 days of receipt of the request, the contract administrator will approve or disapprove the claim. If the claim is denied, the contract administrator will notify the claimant in writing, setting forth the specific reasons for the denial and providing specific references to the plan provisions on which the denial is based. The contract administrator also will describe any additional material or information needed to perfect the claim and provide an explanation of the DC Plan's review procedures.

If the claimant's request is denied by the contract administrator, the claimant may submit a written request for an independent review by the Plan Administrator within 60 days of receiving the denial. The request for an independent review should be forwarded to the Plan Administrator, P.O. Box 24570, Oakland, CA 94623-1570. The request should be accompanied by all supporting documentation. The Plan Administrator may require the claimant to submit additional documentation within 30 days of a written request. The Plan Administrator will make a full review of the request within 120 days of the date the appeal was filed, unless the circumstances require a longer period. If the Plan Administrator upholds the contract administrator's denial, the Plan Administrator will notify the claimant. The decision of the Plan Administrator will be final and conclusive on all persons.

If, after exhausting administrative appeal procedures, the claimant still believes that a benefit has been improperly paid or denied, the claimant has the right to initiate legal proceedings.

For service of process, send to The Regents of the University of California, Trustee of the Defined Contribution Plan, c/o UC Legal—Office of the General Counsel, 1111 Franklin Street, Oakland, CA 94706.

### **PLAN CHANGES**

The Plan is subject to change and to independent audit to comply with applicable federal and state statutes, IRC regulations and industry standards. Participants are notified whenever substantive changes to the Plan occur. Although the Plan is expected to continue indefinitely, the Regents reserve the right to amend, improve or terminate the Plan at any time.

### **ASSIGNMENT OF BENEFITS**

Generally, DC Plan benefits payable to participants, beneficiaries or survivors cannot be attached by creditors, nor can anyone receiving benefits assign payments to others. Plan benefits are intended solely for the benefit of participants and their beneficiaries and survivors.

There are some legal exceptions. For example, the IRS may attach retirement benefits to collect unpaid taxes, or a court may order certain benefits to be paid for child or spousal support.

### **QUALIFIED DOMESTIC RELATIONS ORDERS (QDROS)**

A court may award Plan assets to the participant's spouse or former spouse or the participant's dependent. This usually will occur in connection with a divorce or legal separation. In such cases, the domestic relations order must be approved, or qualified, as being in compliance with state law and with the Plan.

Both spouses and the court have the right to request information about the benefits earned by the participant during the marital period and how those benefits are derived, as well as information about the options available to non-participants. To obtain a copy of the QDRO procedures, contact Fidelity Retirement Services ([netbenefits.com](http://netbenefits.com) or 866-682-7787).

California law has established procedures for dividing property in connection with the termination of a state-registered domestic partnership. For more information, call Fidelity Retirement Services.

## Employee Information Statement

### **INELIGIBLE ACCOUNTS RETAINED BY UC**

The DC Plan does not permit a participant whose vested accumulations have a value of less than \$2,000 to remain in the DC Plan after leaving UC employment. In order to facilitate the conversion to the new record keeper in July 2005, the UC Residual Accounts group retained administration of ineligible accounts of participants who terminated UC employment before July 1, 2005, with small balances as follows:

Accumulations of less than \$50 on June 30, 2005: For participants who failed to provide timely distribution directions or confirm their location, accumulations were forfeited as of June 30, 2005. The forfeited amounts will be used to defray reasonable Plan expenses and to restore a participant's previously forfeited accumulations, plus interest, if the participant subsequently files a valid claim and provides distribution directions.

Accumulations of \$50 or more but less than \$2,000 on June 30, 2005: For participants who failed to provide timely distribution directions, the investment options in the participant's account were liquidated as of June 30, 2005, and an account was established on the participant's behalf. The aggregated assets of all such accounts were then invested in the UC Savings Fund in order to preserve principal, and a proportionate share was allocated to each account. The UC Residual Accounts group will maintain such accounts until such time as the participant's location can be confirmed and distribution made. Each account is credited with monthly interest at a fixed rate.

Accumulations of \$1,000 or more as of October 23, 2008: The participant's accumulations were transferred to an IRA custodian or trustee selected by the Plan Administrator to be held on behalf of the participant.

If you think you may be entitled to funds in an ineligible account, contact the UC Retirement Administration Service Center at 800-888-8267.

Participants in defined contribution plans are responsible for determining which, if any, investment vehicles best serve their retirement objectives. The DC Plan assets are invested in accordance with the participant's instructions; if no instructions are given, assets are invested in the UC Pathway Fund with a target date near the participant's expected retirement date. Participants should periodically review whether their objectives are being met, and if the objectives have changed, the participant should make the appropriate changes. Careful planning with a tax advisor or financial planner may help to achieve better supplemental retirement savings.

Neither the Regents, the Chief Investment Officer, the Plan Administrator nor any officer or affiliated officer of the University makes any recommendation to participants for building supplemental retirement savings, and the various options available for the investment of contributions should not be construed in any respect as a judgment regarding the prudence or advisability of such investments or as tax advice. Neither the Regents, the Chief Investment Officer, the Plan Administrator nor Fidelity Retirement Services bear any fiduciary liability for any losses resulting from a participant's investment instructions. The Plan Administrator reserves the right to refuse to implement any investment instruction from a participant that violates Plan rules or IRC provisions.

All elections concerning contributions to the DC Plan are subject to payroll transaction and fund valuation deadlines.

Neither the University, the Chief Investment Officer, the Plan Administrator nor any officer or affiliated officer shall be responsible in any way for the purpose, propriety or tax treatment of any contribution or distribution (or any other action or nonaction) taken pursuant to the direction of a Plan participant, beneficiary, executor or administrator, or a court of competent jurisdiction. Although the Regents, the Chief Investment Officer, the Plan Administrator, and officers and affiliated officers shall have no responsibility to give effect to a decision from anyone other than the Plan participant, beneficiary, executor or administrator, they reserve the right to take appropriate action, including termination and/or disbursement of a participant's account, to protect the Plan from losing its tax-advantaged status for any event that violates Plan rules or applicable IRC provisions.

By authority of the Regents, University of California Human Resources, located in Oakland, administers all benefit plans in accordance with applicable plan documents and regulations, custodial agreements, University of California Group Insurance Regulations for Faculty and Staff, group insurance contracts, and state and federal laws. No person is authorized to provide benefits information not contained in these source documents, and information not contained in these source documents cannot be relied upon as having been authorized by the Regents. Source documents are available for inspection upon request (800-888-8267). What is written here does not constitute a guarantee of plan coverage or benefits—particular rules and eligibility requirements must be met before benefits can be received. The University of California intends to continue the benefits described here indefinitely; however, the benefits of all employees, retirees, and plan beneficiaries are subject to change or termination at the time of contract renewal or at any other time by the University or other governing authorities. The University also reserves the right to determine new premiums, employer contributions and monthly costs at any time. Health and welfare benefits are not accrued or vested benefit entitlements. UC's contribution toward the monthly cost of the coverage is determined by UC and may change or stop altogether, and may be affected by the state of California's annual budget appropriation. If you belong to an exclusively represented bargaining unit, some of your benefits may differ from the ones described here. For more information, employees should contact their Human Resources Office and retirees should call the UC Retirement Administration Service Center (800-888-8267).

In conformance with applicable law and University policy, the University is an affirmative action/equal opportunity employer. Please send inquiries regarding the University's affirmative action and equal opportunity policies for staff to Systemwide AA/EEO Policy Coordinator, University of California, Office of the President, 1111 Franklin Street, Oakland, CA 94607, and for faculty to the Office of Academic Personnel and Programs, University of California Office of the President, 1111 Franklin Street, Oakland, CA 94607.



