

# CALIFORNIA-NEVADA-HAWAII-DISTRICT OF KIWANIS MERIT PLAN

## ANNUAL NOTICE

### INTRODUCTION

This Notice contains information related to the CALIFORNIA-NEVADA-HAWAII-DISTRICT OF KIWANIS MERIT PLAN (the "Plan") for the plan year beginning on 10/01/2022. The plan year is each 12-month period ending on 09/30.

The safe harbor features apply to the Plan. This Notice gives you important information about these Plan features and how they will affect you. For further information about the Plan, please see your copy of the Plan's Summary Plan Description (SPD). If you need a copy of the SPD, would like a copy of other Plan documents, or if you have any further questions on the information contained in this Notice, please contact the Plan Administrator at:

CALIFORNIA-NEVADA-HAWAII-DISTRICT OF KIWANIS INTERNATIONAL  
Address: 8360 Red Oak Street, Suite 201, Rancho Cucamonga, CA 91730  
Phone number: 909-989-1500  
Fax number: 909-989-7779  
Email: Pete@cnhkiwanis.org

### 401(K) CONTRIBUTIONS

Your 401(k) contributions are amounts that you choose to (or are assumed to have chosen to) have withheld from your paycheck and contributed to the Plan in your name. Please see the section of your SPD titled "Eligibility" to determine if you are eligible to make 401(k) contributions and "Compensation" for the definition of compensation you may defer into the Plan.

#### **How do I make or change my deferral election?**

You may make or change your deferral election by returning a deferral election form to the Plan Administrator.

#### **Once I make a deferral election, how often can I change, stop, or re-start the election?**

You may change or re-start your deferral election once each pay period. You may stop your deferrals at any time.

#### **If I make a deferral election is the amount withheld from my paychecks taxed?**

No, the amount you elect to defer into the Plan is not taxed until you take the money out of the Plan.

#### **Are there any limits to how much I can defer into the Plan?**

Your 401(k) contributions are subject to the following limits:

- Your total amount of deferrals cannot be more than \$20,500 (for 2022).
- If you are age 50 or over, you may defer an additional amount, called a "catch-up contribution," of up to \$6,500 (for 2022).

The Plan Administrator may establish additional rules you will need to follow when making your deferral

election. Your deferral election is only effective for compensation you have not received yet. The Plan Administrator may also reduce or totally suspend your election if they determine that your election may cause the Plan to fail to satisfy any of the requirements of the Internal Revenue Code.

## SAFE HARBOR CONTRIBUTIONS

The Plan Administrator intends the Plan to be a safe harbor plan. In a safe harbor plan, if certain requirements are met, the Plan will be deemed to automatically pass certain IRS required non-discrimination testing (ADP, ACP, and top-heavy). One of these requirements is a minimum level of employer contributions referred to as "safe harbor contributions". Please see the section of your SPD titled "Compensation" for the definition of compensation used to determine safe harbor contributions. The Plan may be amended during the plan year to reduce or suspend the safe harbor contributions. The reduction or suspension will not apply until at least 30 days after you are provided notice of the reduction or suspension.

### **Am I eligible to receive safe harbor contributions?**

Once you meet the eligibility requirements below, you will be eligible to receive safe harbor contributions unless you fall into one of the following categories:

- You are an employee covered by a collective bargaining agreement where retirement benefits were the subject of good faith bargaining.
- You are a leased employee.
- You are a non-resident alien with no U.S. sourced income.

### **What eligibility requirements do I have to meet to receive safe harbor contributions?**

You will be eligible to receive safe harbor contributions on the first day of the first month and seventh month of the plan year coincident with or next following the day you meet the following requirement(s):

- You attain age 21.
- You complete 6 consecutive months of service.

### **Will safe harbor contributions be made to my account under the Plan?**

Yes, as long as you are eligible to receive safe harbor contributions, a safe harbor matching contribution will be made to your account according to the following formula:

- 100% of your deferrals up to 3% of your compensation; plus
- 50% of your deferrals over 3% but that do not exceed 5% of your compensation.

### **Will any additional contributions be made to my account under the Plan?**

Additional contributions may be made to your account under the Plan. Please see the section of your SPD titled "Contributions" for information on any further contributions.

## VESTING

Vesting refers to the amount of money you have in the Plan that you have a non-forfeitable right to receive. You may be required to work a certain amount of time to earn certain contributions to the Plan. Please see your SPD section titled "Vesting" for more information about vesting and how it is calculated.

### **Do I need to work a certain amount of time to keep my 401(k) contributions and safe harbor matching**

**contributions?**

No, you will always be immediately 100% vested in your 401(k) contributions and safe harbor matching contributions.

**Do I need to work a certain amount of time to keep my matching contributions and non-elective contributions?**

Yes, your matching contributions and non-elective contributions will vest as specified below:

- Less than two years of vesting service - 0%
- Two years but less than three years of vesting service - 20%
- Three years but less than four years of vesting service - 40%
- Four years but less than five years of vesting service - 60%
- Five years but less than six years of vesting service - 80%
- Six or more years of vesting service - 100%

**DISTRIBUTIONS****Can I take a distribution of my account balance after my employment terminates?**

Yes, you can take a distribution of your account balance immediately after your employment terminates.

**Can I take a distribution of my account balance if I am still working when I reach the normal retirement date?**

Yes, you can take a distribution of the following vested account balances when you reach the first day of the calendar month following normal retirement age (the later of age 65 or your fifth anniversary of participation) while you are still working: Matching Contributions; Profit Sharing Contributions;

**Can I take a distribution of my account balance when I reach age 59 1/2?**

Yes, you can take a distribution of the following vested accounts when you reach age 59 1/2:

- 401(k) contributions
- matching contributions
- non-elective contributions
- qualified non-elective contributions and safe harbor contributions
- transfer contributions

**Can I take a distribution of my account balance while still working at any time?**

Yes, you can take a distribution of your rollover contribution account balances at any time.

**Can I take a distribution of my 401(k) contributions while still working if I am called to active duty?**

Yes, you can take a distribution of your 401(k) contributions while still working if you are called to active military duty for at least 30 days. However, if you are not called to active duty for at least 180 days, you will not be able to have 401(k) contributions withheld from your pay for 6 months from the date of the distribution.

**Can I take a distribution of my account balance while still working if I incur a hardship?**

Yes, you can take a hardship distribution of the following vested account balances while still working if you incur a hardship:

- 401(k) contributions

- safe harbor contributions
- if available, qualified non-elective contributions (QNECs)

**Can I take a loan from the plan?**

Yes, you may be able to take a loan secured by your assets in the plan.

Please see the SPD section titled "Distributions" for further information on your distribution options.

**PLAN INVESTMENTS**

**Can I direct how my account balances will be invested?**

Yes, you can direct how your entire account balance will be invested from among the different investments offered under the Plan.

You may make or change your investment elections by going to the following web site:  
[www.jhpensions.com](http://www.jhpensions.com)

**How often can I change my investment election?**

Subject to any additional restrictions placed on investment timing by the actual investment, you may change your investment elections daily.

**How will my account balances be invested if I do not make an investment election?**

If you do not make an investment election your account balances will be placed in investments selected by the Plan Administrator.