

DEFERRED COMPENSATION RETIREMENT 457(b) PLAN

Employees may participate in the Deferred Compensation Retirement 457(b) Plan for the purpose of supplementing Basic Retirement 401(a) Plan contributions.

Eligibility

Faculty and Staff, regardless of age, length of service, or benefits FTE may participate in the Deferred Compensation Retirement 457(b) Plan as long as they have "**elected to defer**" the maximum 402(g) amount allowable to the university's Supplemental Retirement 403(b) Plan.

Effective Date of Participation

Participation is effective on the first day of the month following submission of a Deferred Compensation Retirement 457(b) Plan Salary Reduction Agreement and vendor online account application(s). A Deferred Compensation Retirement 457(b) Plan Salary Reduction Agreement (includes both a new or contribution change) must be received at the Campus Benefits Office by the last working day of the month in order for that contribution to start the following month. For example, a Deferred Compensation Retirement 457(b) Plan Salary Reduction Agreement that is received by February 28 will be effective March 1. A Deferred Compensation Retirement 457(b) Plan Salary Reduction Agreement that is received on March 1 or later will be effective April 1.

Contributions to the Plan

Deferred Compensation Retirement 457(b) contributions are withheld each pay period as a percent of compensation or a flat dollar amount up to the Internal Revenue Service maximum allowance. Contributions made to the Deferred Compensation Retirement 457(b) Plan are withheld voluntarily and made on a voluntarily basis.

- *Traditional 457(b) Contributions*
Traditional 457(b) contributions are made on a pre-tax basis and are not included in current taxable income. The pre-tax contributions and any earnings will be subject to income taxes when withdrawn.
- *Roth 457(b) Contributions*
Roth 457(b) contributions are made on an after-tax basis and are included in current taxable income. Earnings are tax free if they are part of a "qualified distribution." A qualified distribution is one that is taken at least 5 tax years from the year of the first Roth 457(b) contribution and after the participant attains age 59½, becomes disabled or deceased.

Elective Deferral Limits

Section 457(b)(2) of the Internal Revenue Code provides annual elective deferral limitations on contributions to the Deferred Compensation Retirement 457(b) Plan. There are two deferral limitation levels applicable to employees. These tax shelter maximums may not apply to every employee.

- 457(b)(2) limit

- 414(v)(2) catch-up limit for employees age 50 and over

Vesting

All contributions are vested immediately upon participation.

Contribution Allocation

Employees may allocate contributions among or between TIAA-CREF and Fidelity Investments in any whole-number percentage, including full allocation to any option. Once participation begins, allocation changes of future premiums may be made at any time by contacting the respective investment company.

Investment Alternatives

Participants may invest contributions with TIAA-CREF or Fidelity Investments. Both retirement plan investment companies are committed to offering a wide range of investment options while providing the educational resources to help plan for a successful retirement.

Participants may invest retirement plan contributions among the following categories.

- Money Market
- Bonds (Fixed Income)
- Stocks (Equities)
- Guaranteed Annuity
- Lifecycle Funds

More detailed information is available from TIAA-CREF and Fidelity Investments.

Transfer of Funds

Deferred Compensation Retirement 457(b) Plan funds may be transferred among or between TIAA-CREF and Fidelity Investments at any time.

Rollover of Funds to the University's Supplemental Retirement 457(b) Plan

Employees may rollover funds only from another governmental employer's Deferred Compensation Retirement 457(b) Plan to the university's Deferred Compensation Retirement 457(b) Plan.

Deferred Compensation Retirement 457(b) Loan

Deferred Compensation Retirement 457(b) Plan accumulations (regardless of when funds were contributed) may not be accessed during active employment.

Access to Funds during Active Employment

As required by governing law, employees generally are not permitted to receive a distribution from University of Nebraska retirement plans including the Basic Retirement 401(a), Supplemental Retirement 403(b) Plan, and Deferred Compensation 457(b) while actively employed by the university in any full-time, part-time, temporary, oncall, etc., position. Active employees who have attained age 59½ may access Deferred Compensation Retirement 457(b) Plan accumulations. Accumulations may however, be accessed after termination of employment. Unless the distribution is rolled over to an eligible retirement plan, funds received from the retirement plans are taxable. In some cases, a 10% excise tax will be assessed. Participants should seek competent tax advice before receiving a distribution.

The university will only approve retirement plan distributions for those retired and/or separated employees where there is no expectation or pre-planned agreement of future employment by the university. To assure compliance, a separated employee who receives a retirement plan distribution may not be reemployed by the University of Nebraska in any paid position for a period of 12 months from date of separation. This includes any full time, part time, temporary, or oncall employment.

Qualified Domestic Relations Order

A Qualified Domestic Relations Order (QDRO) procedure has been established to accommodate the interests of divorcing parties. Upon receipt of a final properly worded QDRO, a separate retirement plan account will be established and maintained by TIAA-CREF and/or Fidelity Investments on behalf of the non-participant spouse (Alternate Payee). TIAA-CREF and/or Fidelity Investments should be contacted to initiate the QDRO process.

TIAA-CREF Divorce Unit, 8500 Andrew Carnegie Boulevard, Charlotte NC 28262
Fidelity <https://qdro.fidelity.com>

Retirement Plan Contacts

- TIAA-CREF (800) 842-2776
- Fidelity Investments (800) 343-0860