

**Self-Administration can carry significant risk. These risks are often an unknown until faced with an IRS audit. The financial penalties for plan failures can be substantial.**

## **Signing off on plan transactions?**

- ❖ If so, you are:
  - ✓ Ultimately responsible for ensuring all transactions (loans, hardships, QDRO's, withdrawals, transfers, exchanges, distributions, roll-overs) are performed in strict compliance with IRS regulations.
  - ✓ Carrying excess liability that can severely jeopardize your district in the event of an IRS audit.

## **When your plan is audited by the IRS, what kind of protection will you have?**

- ❖ OMNI's in-house legal counsel provides guidance in all aspects of your plan administration, including:
  - ✓ Full support in the event of an IRS audit
  - ✓ Review of plan document features and amendment updates
  - ✓ Review of outside related employee agreements to ensure compliance with IRS regulations
- ❖ OMNI's in-house counsel has successfully handled numerous IRS audits.
- ❖ In-house legal counsel is provided at no additional cost to the district.

## **Is your plan document up to date and current with IRS regulation? Does your plan operate in compliance with this document?**

- ❖ OMNI will provide you with a 403(b) plan document that is current and compliant with IRS regulations governing 403(b) retirement plans.
- ❖ With oversight from in-house legal counsel, OMNI's compliance department will review your existing plan document to ensure that all federal and state regulations are met.
- ❖ If necessary, OMNI will assist you with restating your plan by providing an IRS pre-approved written plan document.

## **Are you maintaining separate Information Sharing Agreements (ISAs) with each of your providers? How well are you protected?**

- ❖ With OMNI as your TPA, you would no longer have to maintain separate Information Sharing Agreements as you would be protected by OMNI's ISA with your approved plan providers.
- ❖ OMNI's ISA is unique in its provision of direct indemnification of your district in the event of any compliance failures for which the service provider is responsible.
- ❖ OMNI currently maintains ISAs with over 250 of the most popular service providers.

### **OMNI's ISA accomplishes several objectives:**

- ✓ Offers consistency of approach and practice by protecting the employer from having to enter into a multitude of service provider ISAs with differing terms, and little or no protection for the employer;
- ✓ Provides indemnifications and hold harmless protections for the employer in the event that the vendor does not properly meet its information sharing obligations;
- ✓ Requires the service providers to sell products to the employer that meet the 403(b) requirements;
- ✓ Contractually obligates service providers to operate in compliance with IRS regulations and to deposit remitted funds into a 403(b) compliant investment vehicle within two business days of receipt;
- ✓ Governs the terms and conditions of sharing information so that requested employee transactions can be performed with required due diligence.

## **What type of communications are used to satisfy IRS Universal Availability obligations? How do you provide "meaningful notice" to your employees regarding the benefit?**

- ❖ OMNI's communications for employees serve to both educate and meet Universal Availability/Meaningful Notice compliance requirements.
- ❖ OMNI provides customized product neutral educational materials including: ✓ Posters ✓ Videos ✓ Quarterly Newsletters

## Do you provide common remitting services?

- ❖ OMNI remits over \$1.3 billion dollars annually to more than 250 investment providers.
- ❖ OMNI's remittance process:
  - ✓ Streamlines funds to appropriate service providers - in no more than 2 business days from receipt
  - ✓ Tracks and record-keeps contributions as pre-tax deferrals, ROTH deferrals or employer non-elective contributions
  - ✓ Notifies service providers on each type of contribution
  - ✓ Once received in proper form, transmits all funds to investment vendors within 24-48 hours - depending on day and time received (provided via secure email after each remittance)
  - ✓ Validates all deductions against each participant's most recently submitted SRA and confirms that the participant has not exceeded their Maximum Allowable Contribution. Any differences to the plan sponsor are communicated. This critical compliance check assists in avoiding penalties for improper withholding which would require the plan sponsor to make a qualified non-elective contribution to the affected employee's investment account equal to the amount improperly withheld together with lost earnings.

## What resources are available to employees and retirees regarding your plan?

On-line Access? If yes, what does it allow for?

Through OMNI's secure portal, participants can do the following:

- ✓ Start/Change contributions by submitting Salary Reduction Agreement (SRA) Forms
- ✓ Initiate and complete common transactions such as loans, hardships, transfers, exchanges, distributions
- ✓ Utilize Maximum Allowable Contributions (MAC) and retirement savings calculators
- ✓ View current account balances and loan and hardship availability based on SPARK data provided by the individual service provider(s)
- ✓ Review information on participating investment providers
- ✓ View financial wellness info
- ✓ Review specific plan information and FAQs

### Call Center

- ❖ OMNI monitors its call center closely as we understand the importance of handling your employee's questions and concerns in an efficient manner.
- ❖ Average call wait time is typically less than one minute while OMNI strives to be certain that all matters are resolved within 24 hours.

### Dedicated specialists

- ❖ OMNI utilizes integrated support teams to develop, protect and manage your plan.
- ❖ Each of OMNI's clients is provided dedicated compliance and remittance specialists to deliver one-on-one service, fostering strong relationships and ensuring consistent quality service.



**Nicole Cleaver**  
 Business Development Manager  
 703-746-1130  
 ncleaver@omni403b.com