



**DEFINED  
CONTRIBUTION  
PLAN**

Investment Option

# DEFINED CONTRIBUTION PLAN **HANDBOOK**





## **Empower Representatives are here to help**

1.866.737.7457 - [www.SERS.pa.gov](http://www.SERS.pa.gov)

SERS' mission is to provide retirement benefits and services to our members through sound administration and prudent investments.

### **SERS' Board**

John M. DiSanto – State Senator

Donald Enders – President and CEO of Enders Insurance Associates

Dan B. Frankel – State Representative

Stacy Garrity, Pennsylvania Treasurer

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Vincent J. Hughes – State Senator

Gregory K Jordan – Former Executive Director Senate Appropriation Committee

Brett R. Miller, Defined Contribution Plan Participant

Uri Monson, Secretary of the Budget

Wendy S. Spicher, Secretary of Banking

Gregory C. Thall, Former State Budget Secretary

SERS is not responsible for any inaccurate or incomplete information provided to you by your employer or other entity about SERS retirement benefits. Accordingly, it is very important that you read all information that SERS and the third-party administrator of your defined contribution plan, Empower, provides to you. If you have questions about your SERS retirement benefit or identify inconsistencies between information provided by SERS or Empower and that provided by another entity, please contact an Empower representative at 1.866.737.7457.

# **CONFIDENTIALITY OF SERS MEMBER INFORMATION**

All SERS retirement counseling matters are confidential.

**Certain information about you and your SERS retirement benefit are subject to release pursuant to a subpoena or a Right-To-Know Law request. That information includes, among other things, your SERS-participating employer, years of service, and retirement-covered compensation. As a result of a Pennsylvania Supreme Court Order, all home addresses generally are considered to be private information. If you are a judge or law enforcement officer, your home address is specifically exempted from release under the Right-To-Know Law. If you have any documented personal security issues or Protection from Abuse (PFA) orders, you should send a copy of your written statement or court order detailing the specific threat to your personal security to the State Employees' Retirement System, 30 North 3rd Street, Suite 150, Harrisburg PA 17101-1716 Attn: SERS-Office of Member Services or e-mail it to [ra-sersretc@pa.gov](mailto:ra-sersretc@pa.gov).**

**We may provide certain information from your SERS record to a SERS-participating employer upon the employer's request to be used for business purposes.**

## **If You Want Us to Release Information to a Third Party**

If you choose, you may authorize us to release certain information from your SERS record to a third party. Your authorization must be in writing, dated, and signed by you. You can access an *Authorization to Release Account Information* form or *Authorization to Release Death Beneficiary Information* form on SERS' website at [www.SERS.pa.gov](http://www.SERS.pa.gov), or request the forms by calling 1.800.633.5461.

## **Beneficiary Information**

Absent a properly completed authorization form, information about your designated beneficiary will be released to no one but you, except as required by subpoena or other court order before a payment is issued to that beneficiary. However, death beneficiary information will be released pursuant to a subpoena.

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**DEFINED  
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**HOW YOUR DEFINED  
CONTRIBUTION PLAN WORKS:**





## **ABOUT SERS**

Established in 1923, SERS is one of the nation's oldest and largest statewide retirement plans for public employees. Acting on behalf of the State Employees' Retirement Board, SERS administers four retirement plans - a defined benefit pension plan, a defined contribution investment plan, a Hybrid Plan that is a combination of the pension and investment plans, and a voluntary supplemental Deferred Compensation Plan.

The pension, investment, and hybrid plans are administered according to the State Employees' Retirement Code.

The pension benefits are funded through a combination of member and employer contributions, and investment earnings from the professionally managed SERS Fund. Administration of the SERS fund and the fiduciary responsibility for its management is vested in an 11-member board.

The investment plan benefits are funded through a combination of member and employer contributions, and the investment earnings from your personal investment choices.

Day-to-day management of SERS is the responsibility of the executive director who, with the approval of the board, employs needed staff, and contracts for professional services. The SERS board contracted with Empower as the third-party administrator of the Defined Contribution Plan.

The supplemental Deferred Compensation Plan is funded by a participant's voluntary contributions and the investment earnings from their personal investment choices. See page 36 for additional information.

# **PARTICIPATION IN THE SERS DEFINED CONTRIBUTION PLAN**

Welcome to the SERS Defined Contribution Plan.

As part of your public employment, you receive a retirement benefit. While you may not be thinking about it right now, there are some things you should consider for your future. This handbook outlines your defined contribution retirement benefit and your responsibilities.

With a few exceptions specified in the Retirement Code, if you are a permanent full-time, or permanent part-time state employee, or an employee of certain independent agencies, you are a mandatory SERS member. Your employer automatically enrolled you in SERS when you were hired, began withholding employee contributions, and started paying employer contributions toward your retirement benefit. You had 45 days to elect a different retirement plan. You elected to join the SERS Defined Contribution Plan.

If you are a part-time employee paid by the hour or the day, you are required to join SERS after earning compensation for 750 hours or 100 days in a calendar year.

In the defined contribution plan, you choose your own investments and assume all the risk. The choices you make now are important and will impact you in the future. Please take a few minutes to review this material. SERS has resources available to help keep you informed. Whether in-person, by phone, or online, SERS is available to answer all of your SERS retirement-related questions.

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## **ELIGIBILITY POINTS AND VESTING**

Vesting in a defined contribution plan refers to when you qualify to receive portions of your investment account. Vesting is determined by the eligibility points you have earned for the time you have worked for a SERS-participating employer.

While your contributions (including rollovers from previous employers) are immediately vested; the employer contributions made toward your benefit are vested after earning three eligibility points. In other words, if you leave state employment before you work three years/earn three eligibility points, you have a right to your contributions; however, you would have no right to the money your employer contributed toward your account.

In general, most participants are credited with one eligibility point for every 1,650 hours worked in a calendar year. If you work more than 1,650 hours in a calendar year, you earn just one eligibility point. If you work less than 1,650 hours in a calendar year, you are credited with a fraction of an eligibility point based on the hours you worked.

### **Work Completed on a Term Basis**

If you are employed on a term basis, for instance as a member of the legislature, or as a judge, magisterial district judge, department head, or faculty member, your eligibility is based on your term in office, or the term of your employment.

## **EMPLOYEE CONTRIBUTIONS**

In a defined contribution plan, the amount that you and your employer contribute toward your retirement benefit is defined in advance. In the SERS Defined Contribution Plan, the contribution amounts are listed in the Retirement Code. Your employer automatically deducts 7.5% of your gross pay from your pay each pay period and forwards it to your investment account – that is your contribution. Your employer also contributes an amount equal to 3.5% of your gross pay and forwards it to your investment account each pay period – that is your employer’s contribution.

The State Employees’ Retirement Board contracted with Empower as the third-party administrator of the SERS Defined Contribution Plan. You will receive quarterly statements from Empower.

Employee contributions, excluding those you contribute voluntarily to the plan, are tax-deferred and reduce your federally taxed earnings each year. Those contributions will be taxed when you take a distribution from your defined contribution account.

### **What happens to my contributions if I leave state employment?**

You can request a distribution through Empower or you can keep your money in your defined contribution account until you are required to take distributions according to the IRS’ minimum distribution rules.

### **Selecting Your Investments**

You were automatically enrolled in the default investment option, which is the target date fund for your expected retirement date based on the year you were born. You should have received a letter from Empower with a password and PIN to finalize your online Empower account and select different investments if you choose to do so. You can review your investment options by visiting [www.SERS.pa.gov](http://www.SERS.pa.gov), and clicking on the Defined Contribution Plan graphic.

### **Can I take a loan from my SERS retirement plans?**

No.

You may receive money from your SERS retirement plans only after leaving state employment.

## **TRANSFERRING INTO AND OUT OF LAW ENFORCEMENT AND SECURITY POSITIONS**

Certain law enforcement and security positions are exempt from the defined contribution and hybrid retirement plans.

As a result, if you change jobs and move into one of the law enforcement or security positions listed here, you will automatically become a member of the SERS pension system, and your contributions and those of your new employer will go to your pension instead of your defined contribution plan.

While no new contributions will be made to your defined contribution investment account, your investment account will remain active, increasing and decreasing in value based on investment performance, until you retire or leave state employment and take distribution of the account.

If you never were a member of the SERS pension system, you will automatically become a member of the A-3 class of service, with the option to choose membership in the A-4 class of service within 45 days of SERS membership.

If you were a member of the SERS pension system before you held a law enforcement or security position, you will automatically return to your most recent class of service.

Similarly, if you later choose to transfer out of a law enforcement or security position, you will return to your current defined contribution plan.

If you are considering switching to a law enforcement or security job, contact a SERS retirement counselor at 1.800.633.5461 or [ra-sersretc@pa.gov](mailto:ra-sersretc@pa.gov) to discuss your options.

You will need to maintain two separate beneficiary forms. One with SERS for your defined benefit pension and one with Empower for your defined contribution investment account.

### **Law Enforcement/ Security Positions Exempt From The Defined Contribution & Hybrid Plans**

Sworn Police Officers

Enforcement Officers

Wildlife Conservation  
Officers (Not Deputy  
Wildlife Conservation  
Officers)

Delaware River Port  
Authority Policemen

Park Rangers

Capitol Police Officers

SSHE Campus Police  
Officers

Community College  
Campus Police Officers

Penn State University  
Campus Police Officers

Police Officers at Fort  
Indiantown Gap

Corrections Officers

All other positions  
currently with age 50  
or 55 retirement except  
members of the General  
Assembly

# **LEAVING STATE EMPLOYMENT**

## **Returning After Receiving A Distribution**

If you stop working for a SERS-participating employer and you take:

- A total withdrawal from your investment account, regardless if it is paid directly to you or rolled to another plan, your eligibility points are removed from your participant record. If you later return to work for a SERS-participating employer, you will begin earning eligibility points from zero and your vesting cannot be reestablished by returning funds to your investment account. As a result, you will need to earn three eligibility points (in most cases work three years) to access the employer contributions toward your investment plan.
- No withdrawal or a partial withdrawal from your defined contribution investment account, your eligibility points will remain in your participant record. If you later return to work for a SERS-participating employer, you will begin earning new eligibility points that will add to the total in your participant record.

## **Returning From Involuntary Termination**

If you appeal your involuntary termination and you are reinstated, you must return any participant contributions you withdrew between your termination and reinstatement dates. If you receive a back-pay award, the amount you need to return to SERS will be deducted. If you do not receive a back-pay award or your award isn't large enough to cover the amount you need to return, SERS will send you an invoice. You will be permitted to pay that invoice in a lump sum or by payroll deductions.

## RETIREMENT BENEFIT FORFEITURE

Pennsylvania has laws in place to forfeit the retirement benefit of public employees who violate the public's trust. The Public Employee Pension Forfeiture Act 1978-140 (Act 140) applies to all SERS members who commit certain crimes in relation to their employment. Enforcement of Act 140 is mandatory.

Pennsylvania courts have held that SERS has no discretion in its application. It does not matter if the crime is relatively minor compared to the value of the retirement benefit; if Act 140 is triggered, it must be applied.

The Pennsylvania Constitution and Judicial Code also contain forfeiture provisions that apply to members of the judiciary who are removed or barred from office by the Court of Judicial Discipline. Judicial forfeiture can occur even if no crime has been committed.

Pension forfeiture details are available in the Defined Contribution Plan, Active Members area of the SERS website, [www.SERS.pa.gov](http://www.SERS.pa.gov).

## APPEALS AND HEARINGS

If you think that a SERS decision about your defined contribution plan is wrong and you have been denied a right or benefit to which you believe you are entitled under the Retirement Code, you can appeal that decision.

In general, appeals must be in writing and involve strict deadlines.

Your first step is to appeal to SERS in writing. Staff will review your appeal and send you a response either granting your request or denying your request. If your request is denied, you will be given appeal rights to the SERS Appeals Committee.

If the Appeals Committee does not rule in your favor, you will have the right to appeal to the SERS Board, and to have an administrative hearing in Harrisburg before an independent hearing examiner.

### General Appeal Rights

1. Appeal to SERS in writing.
2. If staff denies your appeal, appeal to the Appeals Committee.
3. If your appeal is denied, appeal to the SERS Board.

## **DOMESTIC RELATIONS ORDERS**

The portion of a SERS defined contribution investment account earned during marriage is marital property. A SERS-approved DRO will specify how much of your investment account (a portion or all) will be subject to the equitable distribution of marital assets and the distribution **MUST** occur upon approval for the DRO.

Requirements contained in federal pension statutes such as the Employee Retirement Income Security Act (ERISA) and the Retirement Equity Act of 1984 regarding qualified domestic relations orders (QDROs) and spousal consent **do not apply to governmental plans like SERS.**

Unlike ERISA plans, this means that in the absence of an appropriate court order, you may take any action regarding your SERS investment account without providing notice to or requesting consent from any person, including your spouse.

Guidelines for drafting a SERS-approved DRO and a Sample DRO are provided on our website to use in drafting your DRO. All DROs must be approved by SERS for compliance with the Retirement Code before they become effective. As such, we encourage you or your attorney to send a draft of your DRO to SERS - Legal Office for review before filing with the court:

SERS-Legal Office  
30 North 3rd Street, Suite 150  
Harrisburg PA 17101-1716  
fax: 717.787.5751

## **DEATH BENEFIT**

One of your most important responsibilities regarding your SERS defined contribution plan is to ensure that you always have an up-to-date defined contribution plan beneficiary designation form on file with Empower.

Empower is required by law to pay your death benefit according to your most recently filed, valid Beneficiary Nomination, even if that payment is made to someone whom you would no longer want to receive your death benefit.

Unlike private employer retirement plans, your SERS retirement plan does not include any special spousal rights. Also, if Empower has no form on file when you die, they will pay any owed death benefit to your estate and it will likely be subject to estate taxes.

### **If You Die While an Active Employee**

Empower will pay the amount you were entitled to at the time of death to your beneficiary or your estate.

- If you were vested, that payment will include the contributions that you and your employer made toward your benefit, and any investment gains or losses.
- If you were not vested that payment will include the contributions that you made toward your benefit, and any investment gains or losses.



## TAXES

In general, your SERS defined contribution account is subject to federal income tax, but exempt from Pennsylvania state and local income tax for PA residents. If you live outside Pennsylvania, you'll need to be aware of the tax laws where you live.

Ordinary income tax may apply to each distribution from your investment account. In addition, if you take a distribution from your investment account before you turn age 59½, the distribution may be subject to a 10% federal tax penalty.

In most cases, you have the option to keep your money in your investment account, or to roll over all or part of the account into a traditional IRA or other eligible plan, like the Deferred Compensation Plan. By doing so, you delay receiving distribution of the account and the tax liability on the distribution until you are older, when your tax liability may generally be lower.

If you reach age 70½ or older in the year you retire, federal tax law requires that you take a minimum distribution at retirement.

The minimum distribution is calculated according to IRS tax tables and is not eligible for rollover to a qualified plan.

Empower will send you an IRS 1099-R tax document detailing the payments you received from your SERS Defined Contribution Plan investment account in the prior calendar year, to use for filing your annual income tax forms. You could receive more than one 1099-R in any tax year.

As you plan for retirement, we recommend that you work with a qualified tax and or financial advisor.

If you have general questions about taxes on your investment account, contact an Empower representative at 1.866.737.7457. For more specific questions relating to death benefits and estates, contact the IRS or a professional tax advisor.

### **Are my SERS retirement plan contributions subject to federal income tax?**

Yes, your tax-deferred contributions and interest are subject to federal income tax at the time your benefit is paid to you or to your beneficiaries.



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**IT'S NEVER TOO EARLY TO  
PREPARE FOR RETIREMENT:**



# RETIREMENT PLANNING

Your biggest retirement planning responsibilities are keeping yourself informed about your retirement benefit and notifying Empower of changes in your life that affect your retirement plan.

## Active Participants

- Keep your home address current with your employer.
- Stay informed by reading the materials that SERS and Empower mail to you.
- Keep an up-to-date defined contribution plan beneficiary designation form on file with Empower.

## Getting Ready to Apply for Retirement

Along with Social Security and private investment earnings, your defined contribution plan likely is one of the three major sources of income in retirement. As you prepare for retirement, please be aware that different aspects of your retirement planning are addressed by you, your Empower representative, and your employer's HR office.

## Things to consider when planning your retirement:

- Retiring at the end of the year will result in your leave payouts to be distributed early in the following year. Receiving retirement money in the same year that you have a full year of wages could move more of your income into a higher tax bracket.
- Retiring at the end of a pay period helps to expedite the payment process.
- If you choose to roll over all or a portion of your investment account into another eligible plan, like the Deferred Compensation Plan, contact an Empower representative to discuss your options and how to access the appropriate forms.
- In most cases, your active employee health coverage will end at midnight on your last day of employment. Your SERS retirement benefit does not include, and SERS does not offer, a retiree health care program. While different employers handle retiree health benefits in different ways, agencies under the Governor's jurisdiction and a few other employers offer the Retired Employees Health Program (REHP), run by the Governor's Office of Administration. If you are enrolled or eligible to enroll in the Active Employees Health Program (AEHP)

## RETIREMENT PLANNING

administered by the Pennsylvania Employees Benefit Trust Fund (PEBTF), contact the HR Service Center by calling 1.866.377.2672 to discuss your eligibility for REHP. If you work for an employer outside the Governor's jurisdiction, contact your HR office to discuss your options.

- Contact an Empower representative at 1.866.737.7457 to discuss your Defined Contribution Plan investment account options.
- Leave payouts are eligible for deferral into the Deferred Compensation Plan (DCP), commonly referred to as "deferred comp." Both the current IRS annual deferral limit, and any applicable catch-up limits may affect the actual amount of the leave payout that you can defer into your deferred comp account.
  - If you are currently a deferred comp participant, you **must** submit a signed Salary Deferral Agreement to the plan administrator before the first day of the month in which you will receive your leave payout. You also need to be aware of your employer's payroll processing schedule. Because payroll processing schedules differ by employer and processing may take several weeks, please contact your HR office as soon as possible to determine your deadline.
  - If you are not a deferred comp participant, you **must** first enroll in the plan, which will require additional processing time, and once enrolled, you must meet the deadlines mentioned above. The entire process could take up to two months.

## RETIREMENT PLANNING

You are responsible for submitting a letter of resignation to your agency. It takes approximately 6 weeks from your termination date to receive your retirement payments.

- The “after-the-fact” pay from your employer, (if applicable) is normally received two weeks after termination.
- You should contact your employer’s HR office regarding the amount and timing of any payout you are due for accrued sick and annual leave, or to arrange for reimbursement to the commonwealth for any overdrawn leave or agency debts.
- Overdrawn leave and agency debts will have a significantly adverse impact on these time frames.

### Your Responsibilities

- Contact Empower in a timely manner.
- Give your employer written notice in accordance with its policies.
- Seek professional tax or financial advice.
- Contact the Social Security Administration regarding benefits (including Medicare), if applicable at 1.800.772.1213 or [www.ssa.gov](http://www.ssa.gov).
- If you participate in the voluntary supplemental Deferred Compensation Plan, contact Empower at 1.866.737.7457 regarding your deferred comp account options.

## **DEFERRED COMPENSATION PLAN**

Employees for most SERS-participating employers also have access to the Deferred Compensation Plan, which is a voluntary supplemental investment plan with tax deferred benefits.

“Deferred comp” makes it easy to set aside more money for retirement by allowing you to have some of your pay automatically deducted on a pre-tax basis and invested.

You select the amount you want to invest, from as little as \$5 per pay to no more than \$19,000 per year, which is the IRS limit for 2019. (“Catch-up” provisions allow some participants to contribute more in certain situations. See the Deferred Compensation Plan Features And Highlights at [www.SERS.pa.gov](http://www.SERS.pa.gov) for more information.)

You also decide which of the available funds to invest in -- with aggressive, moderate, and conservative options to choose from.

You can easily change the amount you withhold from your pay and your investments whenever you choose.

Deferred comp accounts have certain tax advantages as outlined in Section 457(b) of the IRS tax code. The SERS board has contracted with Empower as the third-party administrator of this investment plan.

Empower operates an office in downtown Harrisburg and offers individual and group counseling sessions at work locations around the state.

To enroll in the program, learn more about it, or to access free educational videos on finance, investment and retirement, visit [www.SERS.pa.gov](http://www.SERS.pa.gov) or call 1.866.737.7457

### **Defer From Your Leave Payouts**

According to the IRS, leave payouts are eligible for deferral into deferred comp accounts. Current IRS limits affect the actual amount you can defer.

If you do not yet participate in deferred comp, there may be time to establish a new account; however, there are a number of HR, payroll, and retirement system deadlines involved that could take up to two months. (You need to have at least one payroll deferral into your new deferred comp account in order to roll over your leave payout.)

Your first step is to contact your HR office to learn if you are eligible for a leave payout and the amount. Then, contact a deferred comp representative at 1.800.633.5461 to discuss the rollover process.



# DEFERRED COMPENSATION PLAN

## Investment Options

Average Annual Performance as of 06/30/2020

Fund Name	Inception Date	1 Yr	5 Yrs	10 Yrs	Since Inception
Post Retirement Date Fund	08/2005	6.15%	5.23%	6.19%	5.38%
2025 Retirement Fund	07/2006	4.88%	5.77%	7.72%	5.64%
2030 Retirement Fund	08/2005	3.88%	5.99%	8.20%	5.88%
2035 Retirement Fund	07/2006	2.93%	6.19%	8.64%	5.85%
2040 Retirement Fund	08/2005	2.04%	6.32%	9.00%	6.08%
2045 Retirement Fund	07/2006	1.50%	6.40%	9.32%	5.91%
2050 Retirement Fund	10/2007	1.22%	6.41%	9.56%	4.86%
2055 Retirement Fund	05/2010	1.24%	6.41%	9.70%	8.96%
2060 Retirement Fund	11/2014	1.23%	6.41%	N/A	6.06%
2065 Retirement Fund	11/2014	N/A	N/A	N/A	0.08%
Global Non-U.S. Stock Index Fund	03/2009	-4.43%	2.58%	5.23%	7.83%
U.S. Small/Mid Company Stock Index Fund	08/1998	1.05%	6.77%	12.39%	8.59%
U.S. Large Company Stock Index Fund	12/1994	7.53%	10.75%	14.01%	9.92%
U.S. Bond Index Fund	02/1995	8.82%	4.29%	3.78%	5.61%
Short-Term Investment Fund	10/1988	1.61%	1.34%	0.77%	1.89%
Stable Value Fund	06/1995	2.50%	2.22%	2.59%	N/A

Past performance cannot guarantee comparable future results. An investment in the program is not insured or guaranteed by the U.S. government and is not an obligation of, or insured by, any bank or the FDIC and is subject to risk disclosed in the program materials, including the possible loss of principal. For additional information on the investment options, including fees and expenses, [contact Empower](#). Read all program materials before joining the program. For specific program requirements and definitions, please see the Plan Document.

Investment options could change between publication dates of this handbook. Please see the [Deferred Compensation Plan Investment Information](#) page on the SERS website for the current list.

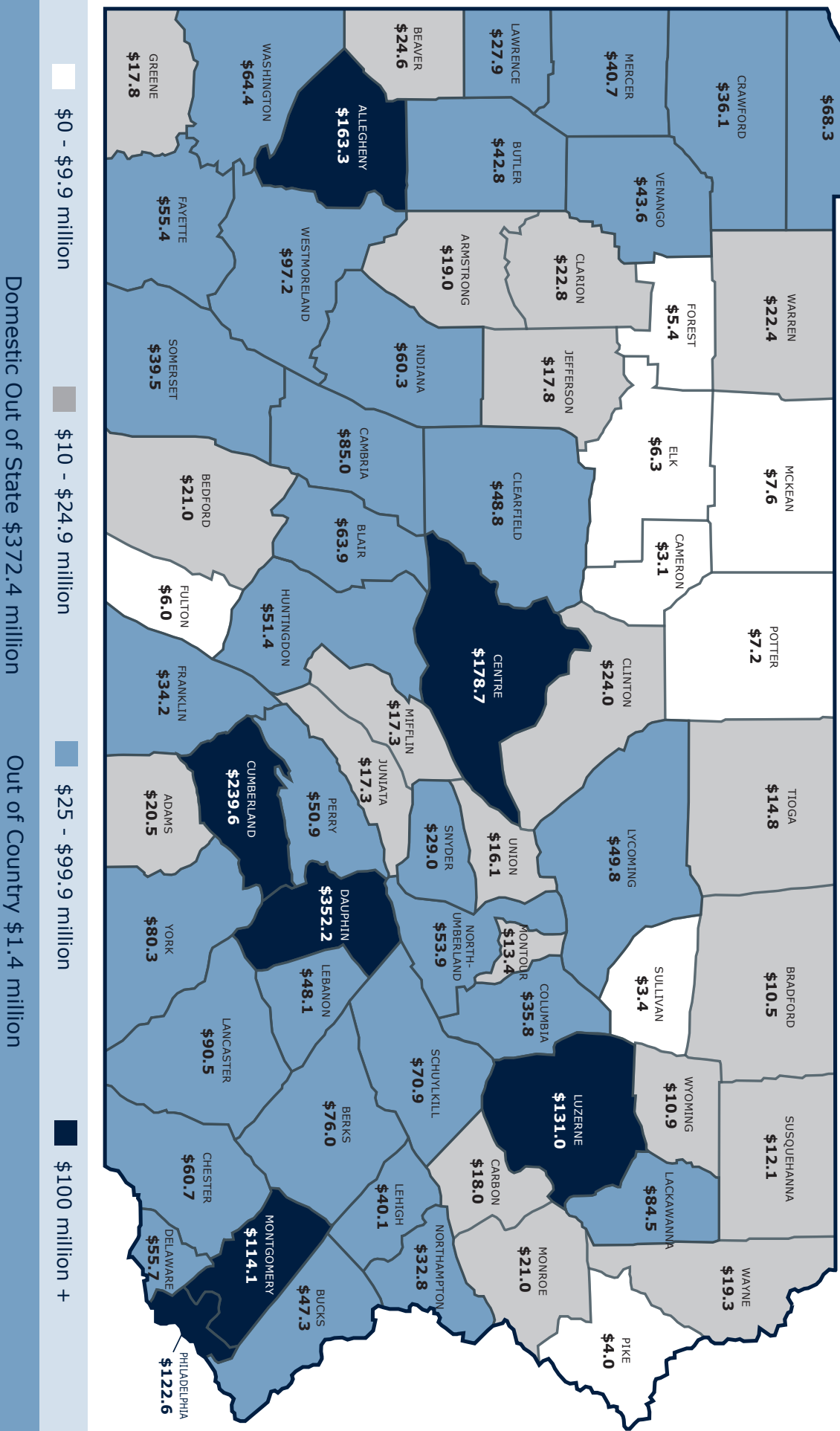
## Growth of the Program

Employees made their first contributions to the plan in October 1988. Since then, the plan has grown to \$3.9 billion in assets, invested by nearly 58,000 participants, as of July 31, 2020.

The number and types of investment options have also grown, from four to 11 different options that include three profile funds geared to various levels of risk, a self-directed brokerage account with more than 8,500 mutual fund choices, and a Roth option.

# 2022 Pension Payments By County (\$ millions)

SERS pension payments positively impact the state's economy. In 2022, SERS made approximately \$3.9 billion in pension payments, nearly \$3.5 billion went to Pennsylvania addresses.



\$0 - \$9.9 million

\$10 - \$24.9 million

\$25 - \$99.9 million

\$100 million +

Domestic Out of State \$372.4 million

Out of Country \$1.4 million



**pennsylvania**  
STATE EMPLOYEES' RETIREMENT SYSTEM

SERS.pa.gov | 1.800.633.5461

01.25.2023



**1.800.633.5461 | [www.SERS.pa.gov](http://www.SERS.pa.gov)**

Pennsylvania State Employees' Retirement System | 30 North 3rd Street, Suite 150 | Harrisburg PA 17101



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