

**SALARY REDUCTION AGREEMENT (Yr 2009)
FOR 403(b) and 403(b)(7) ACCOUNTS**

INSTRUCTIONS: See the second page of this form for completion instructions and information.

SECTION I: AGREEMENT

BY THIS AGREEMENT MADE BETWEEN THE EMPLOYEE _____ AND
(Employee Name Printed)

THE EMPLOYER, VIRGINIA COMMONWEALTH UNIVERSITY ("VCU"), THE PARTIES AGREE AS FOLLOWS:

1. This agreement is legally binding and irrevocable with respect to amounts earned while the agreement is in effect. Only compensation that is NOT "currently available" is eligible for salary reduction under this agreement. It shall continue until the Employee completes another Salary Reduction Agreement form either amending or terminating this agreement or until employment is terminated. The Internal Revenue Code (IRC) allows Employees to make an unlimited number of agreements each year.
2. The Employee is responsible for ensuring their pre-tax deferrals are within compliance of the legal limits set by Internal Revenue Code sections 415 (c) , 402(g) and 414(v). In the event it is determined that your authorized salary reduction amount will exceed the legal limits, the amount of your reduction may be automatically stopped or adjusted downward to ensure that your deferrals do not exceed the legal limits.
3. That the purpose of this salary reduction is to set aside money for retirement. I have been advised and understand that there are IRC restrictions, limitations and tax penalties on early withdrawals. These are described on the second page of this form, which I certify that I have read.

SECTION II: ENROLLMENT INFORMATION

EFFECTIVE DATE: This form must be received by VCU Human Resources *at least one pay period prior to the date of the paycheck elected below.* Effective dates and deadlines for hourly employees are handled on an individual basis. Holidays and payroll deadlines may affect the start date.

INDICATE STATUS: New Enrollment* _____ Change Contributions _____ Terminate Enrollment _____

CHECK ALL THAT APPLY: I am eligible to defer under [] regular deferral (\$16,500 in 2009); [] age 50+ catch-up (\$5,500 in 2009); [] 15 year rule (must be full-time VCU service)

As of the paycheck beginning on either [*check one*] the _____ 1st or _____ 16th of the month _____ and year of 2009, VCU shall reduce the Employee's salary *every* semi-monthly pay period by \$ _____ (give the **total** amount from **each payday**). VCU will forward the amount of such reduction to the company(ies) listed below on a *semi-monthly* (1st and 16th) basis.

SELECT INVESTMENT COMPANY (NEW ENROLLMENT OR CHANGING COMPANY):

You must attach your investment company(ies) enrollment form if this is a New Enrollment or if you are Changing Investment Company(ies)* and indicate below.

Investment Company(ies) Name [MUST LIST THE COMPANY(IES) with whom you want to invest. **DO NOT LIST FUNDS.** Indicate company receiving highest contribution *first*]

PAY PERIOD AMOUNT
(List *exact* dollar amount to *each* company)

Total pay period amount \$ _____

TERMINATE INVESTMENT COMPANY:

If you want to stop contributing money to an investment company(ies), you must indicate name of companies in this section.

CASH MATCH DESIGNATION

Eligible participants who contribute at least \$10 per pay period receive a cash match contribution. The Cash Match is sent to TIAA-CREF or Fidelity (and held in an account in your name) if you participate with one of those two companies. If you contribute to more than one company, the Cash Match will be sent to the one with the highest dollar value, or to the company listed **first** on this form if you contribute to both equally. If you contribute to VALIC, you **must complete** a Cash Match enrollment form* for TIAA-CREF *or* Fidelity and **circle one of the following** for your Cash Match designation:

TIAA-CREF *or* FIDELITY (circle *one only*)

SECTION III: AUTHORIZATION

By _____
EMPLOYEE SIGNATURE

P.O. BOX # _____

E-MAIL ADDRESS: _____

V-ID NUMBER (contact your Personnel Administrator for your V-ID #)

Send completed form(s) to:
VCU Payroll Services, P.O. Box 842511
Richmond VA 23284-2511

DATE

PAYROLL USE ONLY: INITIALS _____ DATE _____

WORK PHONE

***ATTACH INVESTMENT COMPANY ENROLLMENT FORM WITH THIS AGREEMENT**

INSTRUCTIONS FOR COMPLETION

Please complete all sections of the Salary Reduction Agreement (SRA) form, and submit all original forms to VCU Payroll Services, P.O. Box 842511. The following instructions will assist you in completing the form so that there are no delays in the effective date and your salary is reduced by the correct amount.

SECTION I: AGREEMENT *Print your name so that it is legible.*

Statements 1., 2., and 3: These statements provide you with important information on IRS regulations that apply to this program and your responsibilities.

SECTION II: ENROLLMENT INFORMATION

Effective Date: This section gives the effective payroll dates for your SRA.

Indicate Status: Check "New Enrollment" if this is the first time you are entering into a Salary Reduction Agreement (SRA) with the University. Check "Change Contributions" if you are changing the *amount* to be deducted from your paycheck *or* you are changing the *contribution(s)* you are sending to an investment company(ies). Check "Terminate Enrollment" if you are stopping an existing agreement.

Check all that apply: Indicate all deferral limits that apply to you. *All* employees are eligible to defer under "regular deferral," which is limited to \$16,500 for 2009. If you are age 50 or older and want to defer an additional \$5,500 (in 2009), check "age 50+ catch-up." If you are eligible to defer additional contributions under the 15-year rule, which is based on full-time employment with VCU, check "15-year rule." *Note:* To determine your eligibility and the amount of your catch-up under the 15-year rule, you *must* contact your investment company for the calculation and *report* your catch-up amount to VCU Payroll Services.

SELECT INVESTMENT COMPANY:

Investment Company(ies) Name: List the name(s) of ALL companies to receive your contributions. The University remits the total amount you specify to the company(ies) you list. Do not list investment funds on this form.

In addition to completing this form, you must also complete a separate investment company enrollment application (for each investment company you choose) to select your investment funds. You may obtain the application(s), which is located in each investment company packet, from VCU Human Resources or by contacting the investment company. Include the investment company application(s) with this Salary Reduction Agreement (SRA).

Pay Period Amount or Percentage: Enter the *exact* dollar amount that goes to *each* company listed for *each* pay period (1st and 16th).

Company Number: To be completed by VCU Payroll Services.

TERMINATE INVESTMENT COMPANY: If you want to stop sending contributions to an investment company(ies), list the investment company name(s) in this section.

CASH MATCH DESIGNATION: Full-time and part-time salaried faculty and classified staff who contribute at least \$10 per pay period to an account in the Tax-Deferred Annuity (TDA) Program are eligible for the Cash Match Plan. The Cash Match Plan is funded by the state and is subject to change.

SECTION III: AUTHORIZATION

Sign your name. Enter your ID number, the date you complete the form, your work Post Office Box #, your work phone number, and your work e-mail address.

WITHDRAWALS

According to IRS regulations, funds may be withdrawn from an account for the following reasons *only*: separation from service, financial hardship, becoming disabled, at age 59½, or meeting the requirements for early retirement upon separation from service at age 55 or older. A financial hardship withdrawal must meet a two-part test:

1. There must be an immediate and heavy financial need, for which there are four reasons:
 - medical expenses incurred by the participant, the participant's spouse or any dependents of the participant or obtainment of medical care if the withdrawal is necessary for these persons to obtain medical care;
 - purchase of the participant's primary residence;
 - payment of tuition and related educational fees for the next 12 months of post-secondary education for the participant or the participant's spouse, children, or dependents; or
 - payments of amounts necessary to prevent eviction of the participant from the participant's principle residence or foreclosure on the mortgage of the participant's principle residence.
2. The withdrawal must be necessary to meet the need.

Your investment company must authorize a hardship withdrawal. If you take a hardship withdrawal, you may not contribute to the Tax-Deferred Annuity (TDA) Program for six months. You must submit a new SRA to stop contributions at the time your hardship is approved. After your hardship period ends, you may submit another SRA to restart your TDA.

You will not be able to take a distribution from the Employee Cash Match account (401a) while you are employed by Virginia Commonwealth University (VCU). Upon termination of employment from VCU, you will be required to withdraw the value of your Employee Cash Match account.