



Approaching Compliance Deadline EGTRRA Restatements Cycle C Plans

Employment, Labor & Benefits Practice Group

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PRACTICE AREAS

Employee Benefits

All qualified retirements plans categorized as "Cycle C" plans must be restated and submitted to the IRS for approval on or before January 31, 2009. In general, Cycle C plans are plans that are sponsored by employers whose taxpayer identification numbers end with 3 or 8. An extended deadline of April 30, 2010 is available of pre-approved plans. If the sponsor of a Cycle C employer plan wants to restate the plan via adoption of pre-approved plan (such as the Foster Swift profit sharing/401 (k) volume submitter plan), IRS For 8905, *Certification of Intent to Adopt Pre-approved Plan*, must be signed by both the plan sponsor and the sponsor of the pre-approved plan by January 31, 2009.