

## Employees' Savings Plan (401(k) Plan)

**The need to save for a more secure tomorrow is clear.** Your combined Social Security and pension benefits may not provide enough money for your retirement. In addition, inflation will keep pushing costs up, and medical bills could climb even higher. To help you prepare for a more financially secure retirement, you need to save on your own—starting today.

Here's where your Employees' Savings Plan can help. The Employees' Savings Plan (NYPA's 401(k) plan) gives you the savings power you need—right away. It is easy to join the plan. Once you are in, you get immediate benefits to help build your financial future: both pretax and Roth after-tax contributions, Authority matching contributions, and a wide selection of investment options.

**The plan puts you in control.** The Employees' Savings Plan is about you. It gives you the tools you need to put together a strategy that is tailored to your personal needs and goals. As a plan participant, you choose how much to contribute and how to invest. You decide when to make changes.

**Take advantage of this opportunity.** The Employees' Savings Plan can make a big difference to your future. It is one extra step you can take to prepare for the future. The following pages highlight the key plan benefits and explain how you can make the most of them.

### 401(k) Plan in General

#### *What is a 401(k) plan?*

New York Power Authority's 401(k) plan ("Plan") is a defined contribution plan that consists of both a pre-tax and a Roth after-tax program. The pre-tax 401(k) allows you to put aside a portion of your pay before federal, state, and local income taxes are taken out. Your taxes will be reduced as a result of the contributions you make, and your contributions and their earnings will accumulate tax-deferred. With the Roth 401(k), Roth contributions are made with after-tax dollars, or money you have already paid taxes on and the earnings on those contributions are tax-free when you take a qualified distribution. Employees who make both pre-tax and Roth contributions have a combined deferral limit not to exceed the maximum annual 401(k) contribution amount, which is **\$19,500 in 2020**. The contribution limit is indexed to inflation.

Please be aware that the 401(k) plan is not a savings account, and there are significant restrictions on your ability to withdraw your money prior to retirement, as discussed later.

#### *Who pays for the plan?*

NYPA pays the full costs for the administration of the Plan. Any investment management or other fees associated with the various funds offered under the Plan, as specified in the prospectus(es) or fund fact sheets, are paid by the participants investing in those funds.

#### *Who manages the investments?*

T. Rowe Price Associates, one of the nation's oldest and largest investment management firms, serves as the Plan's investment manager, trustee, and record keeper.

#### *Who administers the plan?*

The Employees' Savings Plan Committee administers the Plan. The committee is responsible for interpreting and carrying out the provisions of the Plan.

**For questions regarding benefits, contact HR Services at [HR.Services@nypa.gov](mailto:HR.Services@nypa.gov) or 914-287-3114.**

## Participation

### ***Who is eligible?***

Any employee is eligible to join the Plan on or immediately after his or her 21st birthday, except employees in a student or temporary classification (unless work 1,000 hours of service in a plan year), or members of a collectively bargained unit.

### ***How do I enroll in the Plan?***

You may participate in the Plan by enrolling online and completing your beneficiary online. Payroll deductions start the first pay period of each month. Your properly completed enrollment must be processed by T. Rowe Price by the 15th day of the month preceding your desired effective date.

The Employees' Savings Plan provides two opportunities for you to save. First, there are the contributions you make from your paycheck, and second, there are contributions that NYPA makes on your behalf. Each type of contribution—your contribution and NYPA's contribution—is held in trust for your benefit. You decide from among a variety of available options, where your contributions are to be invested.

***Pre-tax contributions***— you can contribute between 1% and 30% (**up to \$19,500 for 2020**) of your compensation before income taxes are taken out. Effective January 1, 2021, you can contribute between 1% and 100%. When you make pre-tax contributions to the Plan, these are deducted from your pay before taxes are taken out. This lowers your current taxable income and gives you a tax break today. In addition, any growth of your contributions is tax deferred. You pay taxes on the contributions and any earnings only when you take a distribution—generally when you retire.

***Roth contributions***—You can contribute between 1% and 30% (**up to \$19,500 for 2020**) of your compensation on an after-tax basis. Effective January 1, 2021, you can contribute between 1% and 100%. Roth contributions work in the opposite manner as pretax contributions. Roth contributions are made with after-tax dollars, or money you've already paid taxes on. This means you don't get a tax break today. However, when you make qualified distributions, you will not have to pay taxes on the balance of your Roth contributions—or on any earnings.\*

*\*Roth qualified distributions—A qualified distribution is tax-free if taken at least five years after the year of your first Roth contribution AND you've reached age 59½, become totally disabled, or died. If your distribution is not qualified, any withdrawal from your account will be partially taxable. These rules apply to Roth distributions only from employer-sponsored retirement plans.*

***After-tax contributions*** – You can also make after-tax contributions between 1% and 10% to the Plan. After-tax savings come out of your pay after income taxes have been withheld. The Authority does not match your after-tax contributions.

**The total of your pre-tax, Roth and after-tax contributions may not exceed 30%, and effective January 1, 2021, 100%**

***Authority matching contributions*** – The Authority adds more savings power to your account. For every dollar you contribute to your pre-tax or Roth accounts, up to 6% of your salary, the Authority will add 50 cents to your account. Authority matching contributions are considered pre-tax even if made on Roth contributions and are considered taxable by the IRS upon distribution.

### ***When should I consider making Roth contributions?***

To answer this question, you'll need to consider your individual situation, including your age and your current tax rate now and in retirement. To help you decide if Roth contributions are right for you, consider your answers to these questions:

1. Can you afford to contribute the same amount to your retirement account without getting an income tax break today?
2. Do you prefer tax-free earnings in the future to an income tax break now?

If you answered “yes” to both questions, you may want to consider making Roth contributions—unless you are age 50 or older and believe your tax rate will decrease significantly in retirement.

Predicting your future tax rate is not easy. You may want to meet with a tax advisor to help you make this decision. Just remember, you can always make pre-tax contributions as well as Roth contributions (as long as your combined savings do not exceed Plan or IRS limits).

***Are there times when I can contribute more to the plan?***

Yes, catch-up contributions may be made if you will be age 50 or older as of the end of the year and you have already contributed the maximum amount allowed by the Plan. The catch-up contribution limit is **\$6,500**. The contribution limit is indexed to inflation. Age 50 catch-up contributions may be made on a pre-tax or Roth after-tax basis. The age 50 catch-up contributions are not subject to the contribution limits discussed earlier—they can be made in addition to other annual contributions made by you. For example, a participant age 50 can contribute as much as **\$19,500** under the regular 401(k) contribution limit and another **\$6,500** under the age 50 catch-up limit for a total contribution of **\$26,000**. Your age 50 catch-up payroll deductions will automatically cease once you reach your contribution limit for the year, and will restart automatically in January of the following year.

***Can I roll over money from a previous employer's retirement plan?***

If you worked for another employer and participated in that employer's 401(k) plan, 403(b) plan, or 457 plan, you may roll over all or part of that money directly to the Employees' Savings Plan. If, before you joined the Authority, you rolled over that money to an individual retirement account (IRA), you may be able to make a direct rollover to the Plan. After-tax contributions from another plan cannot be rolled over to the Employees' Savings Plan.

***Can I participate in both the Employees' Savings Plan and the Deferred Compensation Plan?***

Yes, you may participate in either the 401(k) plan or the Authority's Deferred Compensation Plan, also known as the 457 Plan, or both if eligible. This means that in the year 2020, for example, you may contribute as much as **\$19,500** (depending upon your income) to each of these plans (combined contributions of **\$39,000**). You may also contribute an additional **\$6,500** to each of these plans, if you are age 50 or older. For more information about the Authority's 457 Plan, see the Deferred Compensation Plan handbook.

***When can I change the amount I contribute to the plan?***

You may increase or decrease your contribution by calling T. Rowe Price at (800) 922-9945 or by making your change online at the T. Rowe Price *myRetirementPlan* Web site at [rps.troweprice.com](https://rps.troweprice.com). All changes are effective the first pay period of each month, provided you make your change by the 15th day of the preceding month.

***What is vesting?***

Vesting refers to the portion of your account you are entitled to receive when you stop working for the Authority. Your pretax, Roth and after-tax contributions always belong to you, but the Authority matching contribution will belong to you over time. You get to keep a larger percentage each year you work for the Authority.

<b>If you've been an employee for:</b>	<b>You are vested at this percent:</b>
One year	20%
Two years	40%
Three years	60%
Four years	80%
Five years	100%

**Uniformed Services Leave Make-up**

Under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), a NYPA employee who leaves a civilian job for military/uniformed service and is reemployed is entitled to make-up for contributions to the Plan that were missed as a result of his or her military/uniformed service. Certain limits and restrictions apply.

## Investment Options

The Employees' Savings Plan offers a variety of investment options to help you meet your savings goals. Each investment option has its own investment strategy and its own risk and return characteristics.

This section broadly describes the Plan's investment fund lineup. It is important that you read a fund prospectus or fact sheet for each fund prior to investing in the fund. The prospectus or fact sheet includes investment objectives, risks, fees, expenses and other information that you should read and consider carefully before investing. No fund is FDIC insured. You can request a prospectus or fund fact sheet by calling T. Rowe Price (800) 922-9945 or requesting one online or by downloading one at the T. Rowe Price website at [rps.troweprice.com](https://rps.troweprice.com).

### About Investing

If you don't have much experience or are uncomfortable with investing, the process can seem intimidating. Understanding a few investment basics can help. Let's start with some definitions:

**Mutual fund.** An investment company that pools the money of many individual investors and uses it to buy stocks, bonds, money market instruments, and other assets depending on the goals of the fund. Mutual funds work for you in two ways:

- 1) A fund manager, with professional expertise, directs the buying and selling of securities held in the fund, based on the fund's objective.
- 2) Your fund's holdings tend to be diversified with a number of stocks, bonds, and/or money market securities. Thus, your investment is spread out, which can help lessen the impact of the market's ups and downs. However, diversification cannot assure a profit or protect against loss in a declining market.

**Stock.** A share of a single company. When you own stock in a company, you own a piece of that company—its earnings and assets. The value of your ownership stake will rise and fall according to the success of the underlying business. Your total return from a stock investment includes the dividends it pays (if any), plus or minus changes in its share price.

**Bond.** An IOU issued by a corporation or government. The bond issuer is borrowing money from you and other members of the public. Most bonds pay interest at regular intervals until they mature, at which point investors get their principal back. There is the chance of a loss of principal due to movements in interest rates, defaults, or other market factors.

**Money market/stable value.** A very short-term investment in money market instruments, certificates of deposit, U.S. Treasury bills, and guaranteed investment contracts. These investments are considered to be very stable, and the chance of losing a portion of your principal investment is extremely low.

### Plan Fees

**Management Fees.** Paid to the fund's investment manager for overseeing the portfolio, this fee is deducted as a percentage from the fund's assets.

**Redemption Fees.** These fees are charged to an investor who sells shares of a mutual fund on or before a designated holding period specified by the fund. Redemption fees are designed to mitigate the effect of short-term trading and protect the fund and its long-term investors. Redemption fees are paid to the fund to help offset the transaction costs that may be generated by frequent trading. These fees are described in the investments' prospectus.

### *What are my investment choices?*

Your investment options in the Plan can be grouped into the following categories on the basis of risk and return characteristics:

## Retirement Funds

The T. Rowe Price Retirement Funds make it easy for you to invest for retirement. The funds are professionally managed and automatically adjusted with specific retirement dates in mind. Each Retirement Fund offers you a diversified portfolio (collection) of mutual funds, designed to adjust as the target date nears.

The performance and risks of each Retirement Fund will directly correspond to the performance and risks of the underlying funds in which it invests. By investing in many underlying funds, the Retirement Funds have partial exposure to the risks of many different areas of the market, including possible loss of principal.

### How you can benefit

Retirement Funds may be appropriate for you if you don't have the time or the experience to select and keep track of your own investment portfolio. The funds are also:

- **One-step, complete portfolios.** You don't need to mix and match them with other options.
- **Diversified.** A blend of different kinds of investments may help to protect your retirement savings from the market's ups and downs.\*
- **Investments that provide potential for growth.** The funds include stocks, because of stocks' potential to outpace inflation.
- **Automatically rebalanced.** Maintaining an allocation in stocks, bonds, and conservative bonds helps the funds stay on track.

### How you choose a Retirement Fund

It's easy: Once you decide that the Retirement Funds are right for you, simply choose the fund most closely matched to the year in which you plan to retire. Or, you can choose a fund based on the year you were born.

If you were born . . .	This Retirement Fund may be right for you . . .
In 1993 or after	Retirement 2060
1988 – 1992	Retirement 2055
1983 – 1987	Retirement 2050
1978 – 1982	Retirement 2045
1973 – 1977	Retirement 2040
1968 – 1972	Retirement 2035
1963 – 1967	Retirement 2030
1958 – 1962	Retirement 2025
1953 – 1957	Retirement 2020
1948 – 1952	Retirement 2015
1943 – 1947	Retirement 2010
In 1942 or before	Retirement 2005

The funds' investment programs assume a retirement age of 65, but this is a guideline only. If the date you have in mind falls between two funds, choosing the fund with the earlier date may expose you to less risk (the chance of losing money)—and also less return potential (the chance to earn more). Funds with later dates invest more aggressively—that is, you have a greater potential for both risk and return.

*\*Diversification does not assure a profit or protect against loss in down markets.*



## Money Market/Stable Value

The options in this category invest in securities that have relatively stable prices and are expected to carry little risk of losing the money you invest. Funds in this group generally carry the least risk but also have the lowest potential return.

- Stable Value Common Trust Fund
- T. Rowe Price Government Money

## Bonds

The options in this category invests primarily in bonds, which are loans to companies or governments that pay a set amount of interest over a period of time. An income fund generally carries moderate risk and has the potential for moderate returns.

- PIMCO Total Return Fund, Institutional Shares
- Vanguard Total Bond Index Fund, Admiral Shares

## Growth

The options in this category invest primarily in stocks, which are actual shares of company ownership. The value of shares can grow, and the companies may also pay dividends to stockholders. Potential return and market risk are the highest for growth funds.

- American Funds Growth Fund of America (R6)
- American Funds Euro Pacific Growth Fund (R6)
- American Funds Fundamental Investors Fund (R6)
- Dodge & Cox International Stock Fund
- T. Rowe Price Capital Appreciation Fund
- T. Rowe Price Equity Income Fund
- T. Rowe Price Mid-Cap Growth Fund
- T. Rowe Price Mid-Cap Value Fund
- T. Rowe Price New Horizons Fund
- Vanguard Small-Cap Index Fund, Admiral Shares
- Vanguard Total International Stock Index Fund, Admiral Shares
- Vanguard Total Stock Market Index Fund, Institutional Shares

## Charles Schwab Personal Choice Retirement Account (PCRA)

For experienced investors, the PCRA option offers brokerage services that increase the number of investment choices available through the plan. You can diversify your plan investments – through a single source. This option provides you with access to thousands of mutual funds from many well-known fund families. As you decide whether the Schwab Brokerage Account is right for you, consider the following:

- This service is designed for plan participants who have extensive experience and confidence in their own investment abilities.
- Investment choices are not reviewed or chosen by the Authority and may be subject to greater volatility and risk of loss than the other plan investments that are chosen by the Authority.
- Potential investment gains may be offset by account and transaction fees.
- Additional fees apply.

**Important Note:** Any investment carries risk and none of the funds are exempt from loss. The Authority makes no representation or warranty as to, and assumes no liability for, the design of any of the funds offered or the investment results obtained therein.

## Managing Your Account

### *How can I keep track of my plan account?*

To effectively manage your account, you need flexibility and convenient access to your account. The Plan provides these features to help make managing your savings as easy and convenient as possible. Here are the services the Plan offers you:

- To access and manage your account online, go to the T. Rowe Price website at [rps.troweprice.com](http://rps.troweprice.com) and follow the instructions on the homepage.
- Access your account through the T. Rowe Price mobile app.
- One toll-free number does it all. (800) 922-9945 will connect you to the Plan Account Line (PAL) – the number you can use to get help or information, such as a prospectus for each mutual fund that interests you. If you already have a personal identification number (PIN), you can use the PAL 24 hours a day, any day of the year.
- While the website and the PAL automated phone system offer maximum ease and convenience, there might come a time when you need to speak with a representative. Call (800) 922-9945 and say “representative.” Or, enter your Social Security number and press #, 0. Representatives are available business days from 7 a.m. to 10 p.m. eastern time.

### **When accessing your account, you can:**

- update your beneficiary;
- get your account balance;
- change the amount of your contributions;
- change how future contributions are invested;
- change how your existing balance is invested;
- request information, such as a prospectus;
- track investment performance;
- review your account’s history; and
- get investment and market information.

### *How do I make changes to my plan account?*

#### **Investment changes**

You can change the investment of your deferrals at any time. You may elect an investment allocation change which will affect future deferrals, and you may elect an account transfer to move existing funds among the Plan’s investment options. Please note that these transactions are independent of each other.

To make investment changes, just call the Plan Account Line or access your account online. Requests received by 4 p.m. eastern time will be processed the same business day. Requests received after 4 p.m. eastern time will be processed the next business day. Confirmation notices are sent every time you make a change to your account.

#### **Contribution changes**

You have the flexibility to increase or decrease your contribution amount monthly. To change the percent of salary you are contributing, or to stop your contributions, just call the Plan Account Line or make your request online. All changes are effective the first pay period of each month, provided your request is received by the 15th day of the preceding month.

If your compensation goes up, the dollar amount of your contribution will increase automatically, unless you request a change in the percentage you are saving.

### *How do I keep track of my fund’s performance?*

Here are some tools that can help you stanformed

#### **Account statements**

T. Rowe Price will send you account statements which summarize your account activity over the calendar quarter, including the performance of the investment options. (Statements are also available on demand.) And, you will receive a newsletter with articles about investing.

Or, you can choose to no longer receive account statements via U.S. mail. Instead, when a new statement is available, you will receive an e-mail to access it online—and a printed copy will not be mailed to you. Any inserts that would have accompanied the hard-copy statement will also be available online.

***Why do the returns I calculate using my quarterly account statement differ from the total returns reported by the fund?***

A fund company calculates total return by assuming a lump sum is deposited on the first day of the period. When you invest through the Plan, your contributions buy shares each pay period. While the total return of the funds should not be used as a yardstick to measure your own returns, it should give you a good idea of the fund's overall performance for a specific period.

**Daily newspaper listings**

You can check the daily net asset value (NAV) of most of your investments by looking in the business section of most daily newspapers. The NAV is the price per share at the close of trade on the preceding business day. The column next to the NAV shows the fund's change in price per share since the last NAV listing. The T. Rowe Price investment options can be found in the "mutual funds" section under the heading "Price Funds"; the Dodge & Cox International Stock Fund can be found under the heading "Dodge & Cox Funds". For example, the T. Rowe Price Equity Income Fund is abbreviated as follows:

Equity Income Fund "PRFDX"

The T. Rowe Price Stable Value Fund is designed to maintain a stable share price of \$1.00 and therefore are not listed daily. However, you can call T. Rowe Price for performance information.

**Plan Account Line**

To receive information or make changes to your investments, call the T. Rowe Price Plan Account Line at (800) 922-9945 anytime, any day. Representatives are available business days between 7:00 a.m. and 10 p.m. eastern time.

**Online access**

You may also get information about your account and make changes to your investments online through the T. Rowe Price website.

**Access to Your Money**

***What if I need money from my plan account?***

Generally, you may not withdraw funds from the 401(k) plan while you are still employed by NYPA. However, there are certain exceptions discussed below.

**Loans**

There are times when you might need the money in your account before you retire. You can take a loan from your plan account. Here is some basic information:

- The minimum loan amount is \$1,000.
- The maximum loan amount is 50% of your vested account balance up to \$50,000. The \$50,000 limit is reduced by your highest outstanding loan balance, if any, during the preceding 12 months from all retirement savings plans that NYPA offers, such as, the Deferred Compensation Plan (457 plan), the New York State Retirement System pension plans and the Voluntary Defined Contribution (VDC) Plan.
- Roth contributions will be included in the calculation of the available loan amount but not included in the withdrawal.
- You may not take more than two loans at any time, and your loan total may not exceed the maximum loan amount.
- Your loan, plus interest, must be repaid within five years, except for primary residence loans, which must be repaid in 30 years.
- Loan payments are taken as payroll deductions.
- Loans can be repaid in full at any time.
- Loan interest is the prime rate plus 1%.



- Even though your repayments are made from your after-tax pay, those repayments are taxed again when you later withdraw them from your account.
- If you leave your job before you pay back the loan, you have to **pay back the entire balance** within 60 days of your date of separation or pay taxes on it.

### **In-Service Withdrawals**

- You can withdraw the vested portion of your employer matching contributions once a year after the employer matching contribution has been in the plan for at least two plan years. The minimum amount of a withdrawal is \$100. The two-year requirement does not apply once you reach age 59½.
- You can withdraw your after-tax (non-Roth) contributions once a year, for any reason. The minimum amount of a withdrawal is \$100.
- You can withdraw your contributions if you have a severe financial hardship. In order to take a hardship withdrawal, you must have exhausted all other possibilities, including in-service withdrawals, after-tax withdrawals and retirement savings loans (including loans from the 457 plan, the NYS Retirement System pension plans and the Voluntary Defined Contribution (VDC) Plan. The Plan allows hardship withdrawals for:
  - Payment of medical expenses that are unreimbursed by insurance;
  - Down payment of a primary residence;
  - Prevention of a foreclosure or eviction from your home;
  - Payment for the next 12 months of tuition for post-secondary education;
  - Funeral or burial expenses for certain designated family members; and
  - Expenses for the repair of damage to a primary residence under certain casualty scenarios (such as Hurricane Katrina).

If your hardship is approved, you cannot contribute to the 401(k) plan or the 457 plan for six months.

- You can elect to withdraw your plan account balance once a year when you reach age 59½. You need not show a hardship or terminate employment to elect this type of withdrawal. The minimum amount of a withdrawal is \$100.

Pretax 401(k): Withdrawals will be subject to applicable income taxes, but will not be subject to the 10% early withdrawal penalty.

Roth 401(k): If your initial Roth contribution was made more than five years ago, you can withdraw funds from your Roth 401(k) account tax-free. Distributions of earnings before age 59½, or for a shorter period than five years, are subject to all applicable income taxes.

### **Retirement or Termination**

When you leave the Authority, you may keep the money invested in the Plan, transfer (“roll over”) your money to another qualified retirement plan, or withdraw your assets.

#### **Keep your money invested in the plan**

You may leave your money in the Plan until you elect to receive it at a later date, if your account balance is \$1,000 or more. You may delay distribution of your account until you reach age 72, or the year in which you actually retire, if later.

If you chose this option, deferrals must begin no later than April 1 in the calendar year after you become age 72. Each of the benefit payment options previously discussed will be available to you should you choose this deferral. However, if you defer payments to age 72 your total annual benefit payment must equal or exceed the federal Required Minimum Distribution (RMD). An additional benefit payment will be sent to you in December of any year in which your total periodic payments do not meet or exceed your RMD.

If you choose to leave your money in the Plan, you cannot make additional contributions or take out loans. Interest, dividends and other investment gains or losses, however, will continue to be credited to your account.

## Benefit Distribution Options

### Transfer your money to another qualified retirement plan

- You may roll over all or part of the taxable portion of the distribution into another employer's 401(k) plan, 403(b) plan, or 457 plan. Or,
- you may roll over all or part of the taxable portion of the distribution into a Traditional IRA, including a T. Rowe Price IRA.

### Withdraw your assets

- You may choose to have your account paid to you directly. If you are younger than 59½, the pretax portion of your 401(k) account assets may be subject to a 10% early withdrawal penalty. One of the exceptions to the early withdrawal penalty is if you are at least 55 at the time you retire from NYPA. However, earnings on Roth distributions will be subject to applicable taxes if the distributions are not Qualified Distributions.

### Partial Withdraw

- You may elect to receive a partial payment of your vested account balance. The remainder of your account will remain in the plan. You may take additional partial withdrawals when you need additional funds.

### Installment Payments

- You may elect to receive payments of your vested account balance in installment payments over regular intervals such as monthly, quarterly, semi-annually or annually.

### Death

A distribution of your account balance will be made to your beneficiary if you die while working for the Authority.

### ***What are the tax consequences of taking a withdrawal?***

- Pretax 401(k): Payments made directly to participants will become subject to mandatory federal tax withholding, as well as applicable state and local taxes. If you are younger than 59½, a 10% early withdrawal penalty may apply, unless you are at least age 55 at the time you retire from NYPA.
- Roth 401(k): Payments will be tax-free provided it is a Qualified Distribution.
- If you are younger than age 59½, or if your initial Roth contribution was made less than five years ago, earnings on Roth distributions will be subject to applicable taxes.

Since after-tax contributions are taxed when they are put in the plan, they will not be subject to further taxation. However, the earnings on any after-tax contributions will be subject to the same penalties and taxes as your pretax contributions.

### Divorce

#### ***What happens to my account if I am married and at some point get divorced?***

If under a court's decision or an agreement, an alternate payee (typically your former spouse) has an interest in some or all of your account, a Qualified Domestic Relations Order (QDRO) will need to be filed with the Plan. The QDRO will create a separate account for your former spouse. They may elect to receive payment as soon as practicable after the account is established. A sample QDRO, which can be provided to your former spouse or attorney, is available from your local Human Resources representative.

***While this is an overview of the Plan, the official Plan Document controls in the case of conflict or ambiguity.***