



## INSTRUCTIONS TO DESIGNATE A BENEFICIARY

*These forms are for married participants only and for plans that are subject to the Joint and Survivor Annuity requirement.*

1. You should name a beneficiary so that in the event of your death, your retirement benefit is paid to the person of your choice. If you do not name a beneficiary, the Plan document or the state government will decide to whom your benefit is paid.
2. If you want to designate your spouse as your sole primary beneficiary, complete the **Beneficiary Designation** form.
3. If you choose not to designate your spouse as your sole primary beneficiary, you and your spouse must read the attached **Explanation Of Qualified Preretirement Survivor Annuity** and complete the **Special Beneficiary Designation For Married Participants And Waiver Of Qualified Preretirement Survivor Annuity** form. Your spouse's signature must be notarized.
4. Submit the original form to your Employer and keep a copy for your files.
5. You may change your beneficiary designation at any time in accordance with the above instructions.

For more information regarding your Plan, contact your Employer or read your Plan's Summary Plan Description.

## **HOW TO USE THE BENEFICIARY DESIGNATION FORM**

**Designation of your beneficiary is personal and very important to you. We strongly encourage you to seek legal advice.**

1. **Beneficiary Designation:** Your spouse will automatically be your beneficiary and should be named on the form. Your designation of your spouse as beneficiary will be automatically revoked if you become divorced. At that time you should complete a new designation; otherwise, death benefits will be paid in the manner specified by the Plan.

If you wish to name someone other than your spouse as your Primary Beneficiary, your spouse must give his or her permission. You must complete the Special Beneficiary Designation Form for Married Participants containing a “spousal approval” section, which must be signed by your spouse and notarized. If, in the future, you have a different spouse, your new spouse will need to give his or her permission in writing as explained above unless the new spouse is your sole Primary Beneficiary.

2. **Primary Beneficiary:** Primary Beneficiaries are persons who only need to survive you in order to receive benefits from the Plan. A Contingent Beneficiary must survive you and all Primary Beneficiaries in order to receive benefits. You may name more than one Primary or Contingent Beneficiary if you wish and you may designate different shares to go to the various Beneficiaries. If you are naming more than one Beneficiary, you should state the percentage of your benefit that is to go to each particular Beneficiary. The shares of all Primary Beneficiaries should total 100%. The shares of all Contingent Beneficiaries should also total 100%.

### **Examples:**

(a) If you want your entire interest to go to one person if he or she survives you, you should name that person as sole Primary Beneficiary and state that he or she is to receive 100%. Spousal consent is necessary if you designate someone other than your spouse.

(b) If there are two persons who are to share equally in your death benefit, you should name them both as Primary Beneficiaries, each to receive 50%. Spousal consent is necessary.

(c) If there are two persons who are to receive benefits in the event of your death, and the share of one is to be a fixed dollar amount with the balance to go to the other, fill out one Primary Beneficiary line for the Beneficiary who is to receive the fixed dollar amount and insert that dollar amount in the space designated “%.” In the next Primary Beneficiary line, give the name of the Beneficiary who is to receive the balance, write “Balance of Benefit after provision for \_\_\_\_\_” (giving the name of the other Primary Beneficiary). Spousal consent is necessary.

3. **Surviving Beneficiaries:** If you name two Primary Beneficiaries and only one survives you and becomes entitled to benefits, that one will receive everything. If you name three Primary Beneficiaries, each to receive one-third of your interest and only two survive you and become entitled to benefits, those two will each receive one-half of your interest. The form works the same way for Contingent Beneficiaries.

4. **Contingent Beneficiaries:** Contingent Beneficiaries should be named to receive your interest in case all of your Primary Beneficiaries die before becoming entitled to benefits. The shares of all Contingent Beneficiaries should total 100%.

**Examples:**

(a) If you have a spouse and two children and you want your spouse to receive everything if he or she survives you, but if not, your children are to receive equal shares, you should name your spouse as Primary Beneficiary to receive 100% and each child as Contingent Beneficiary to receive 50%. If later you have more children, you should amend your Beneficiary Form if you wish such children to receive a share. Spousal consent would not be required since your spouse is your sole Primary Beneficiary in this example.

(b) If you have two daughters and one son, and you want your daughters to receive everything in equal shares if either or both of them survive you, and your son to receive everything if neither daughter survives you, you should name your two daughters each as Primary Beneficiaries to receive 50% and your son as Contingent Beneficiary to receive 100%. Spousal consent will be necessary.

5. **Children as Beneficiaries:** If you want all present and any future children living at your death to receive equal shares, fill out the Primary Beneficiary or Contingent Beneficiary section, as the case may be, as follows: "All my children in equal shares." Spousal consent will be necessary if your children are named Primary Beneficiary.

The form provides that benefits go to **surviving** beneficiaries. If you want benefits to go to the descendants of a deceased child (for example, his or her children), you must write the following: "All my children in equal shares, and if any of my children should not survive me, such deceased child's share shall be paid to his or her descendants."

6. **Trust as Beneficiary:** If you wish to designate a trust as a beneficiary, see your legal counsel.

7. **Designating Beneficiaries:** Use each Beneficiary's actual name, **e.g.**, "Helen Jones," not "Mrs. Henry A. Jones."

Again, we encourage you to seek legal advice in completing the Beneficiary Designation Form.

## **EXPLANATION OF QUALIFIED PRERETIREMENT SURVIVOR ANNUITY**

If you should die prior to the time you begin receiving your retirement benefits under the plan, your beneficiary may be entitled to a benefit from your retirement plan. A description of the amount of and the eligibility requirements for this benefit is contained in the Summary Plan Description. If you do not have a copy of this informative booklet, you should ask for one.

If you are not married, you can designate whomever you wish to be the beneficiary of this death benefit. If you later get married, however, this designation will become invalid and your spouse will become the beneficiary unless you file a new beneficiary designation form approved by your spouse as described below.

If you are married, the law provides that the death benefits be paid to your spouse in the form of a special death benefit often called a Qualified Preretirement Survivor Annuity unless you choose to give up this benefit and your spouse agrees to that choice. Under this Qualified Preretirement Survivor Annuity, payments will be made each month for your spouse's lifetime beginning within a reasonable time after your death, but no later than when you could have begun receiving retirement benefits. Under this special death benefit, 100% of the retirement benefit you earned before death will be used to purchase an annuity for the benefit of your spouse. There will be no reduction to your normal retirement benefit as a result of this Qualified Preretirement Survivor Annuity. Your spouse may have the option of electing a different form of payment prior to the date that benefits are scheduled to begin. The plan will pay this death benefit in a lump sum, rather than as a Qualified Preretirement Survivor Annuity if the value of the death benefit is \$5,000 or less.

### *Example*

Pat Doe dies at age 45 after earning a retirement benefit. The value of Pat's death benefit is more than \$5,000. If Pat had lived, Pat could have retired and begun receiving payments as early as age 55 under the plan's terms. The plan will pay a monthly benefit to Pat's spouse, Robin Doe, for the rest of Robin's life. Robin has the right to begin receiving the benefit no later than when Pat would have been 55 years old.

By law, your spouse's right to the Qualified Preretirement Survivor Annuity cannot be taken away unless you and your spouse agree to give up all or part of that benefit. However, you and your spouse can elect, at any time, not to be covered by the Qualified Preretirement Survivor Annuity. That is, you can designate a person other than your spouse to be the beneficiary of all or part of your death benefit. This election will not be valid, however, without your spouse's written notarized consent. Once given, your spouse's consent may not be revoked unless you later elect a different beneficiary. If your election is made before you are age 35, the election becomes invalid on the first day of the Plan Year in which you reach age 35. If you and your spouse do not make a new election at that time, your spouse will automatically become your beneficiary.

*(continued on next page)*

Your spouse may lose his or her right to the Qualified Preretirement Survivor Annuity if you become legally separated or divorced. However, if you become legally separated or divorced, your spouse might be able to get a special court order (which is called a qualified domestic relations order or “QDRO”) that specifically protects your spouse’s rights to receive the Qualified Preretirement Survivor Annuity or that gives your spouse other benefits under this plan. If you are thinking about separating or getting a divorce, you and your spouse should get legal advice on your rights to benefits from the plan.

If you elect not to be covered by the Qualified Preretirement Survivor Annuity and you later remarry (following a divorce or the death of your spouse), your election will become invalid and your new spouse will be your beneficiary unless you make a new election consented to by your new spouse.

If you elect not to be covered by the Qualified Preretirement Survivor Annuity, you may not change your primary beneficiary designation without obtaining your spouse’s consent by completing a new Special Beneficiary Designation For Married Participants And Waiver Of Qualified Preretirement Survivor Annuity form. You may revoke the election not to be covered by the Qualified Preretirement Survivor Annuity at any time without your spouse's consent. If you revoke your election, you will once again be covered by the Qualified Preretirement Survivor Annuity and your spouse will be your sole primary beneficiary.

**BENEFICIARY DESIGNATION**

Name: \_\_\_\_\_ Soc. Sec. No: \_\_\_\_\_

Plan(s): \_\_\_\_\_

**Naming a beneficiary is personal and very important to you. You are advised to seek legal advice in completing this form.**

**CERTIFICATION OF MARITAL STATUS**

- ( ) I certify that **I AM NOT MARRIED** at this time. I understand that if I later marry and my spouse outlives me, this Beneficiary Designation will be revoked and my spouse will be the beneficiary of my death benefits under the Plan.
- ( ) I certify that **I AM MARRIED** and am designating my spouse as my sole primary beneficiary. I understand that if I become divorced from my spouse, this Beneficiary Designation will be revoked and if I do not complete a new Beneficiary Designation, the death benefits will be paid in order of priority to (1) my new spouse, (2) the trustees of my revocable living trust, (3) my surviving children (including adopted children) in equal shares, or, (4) my estate.

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**DESIGNATION OF BENEFICIARY**

I designate the person or persons named below as my primary beneficiary or beneficiaries (and contingent beneficiary or beneficiaries) to receive any death benefit under the above Plan, and I direct that such amount be divided among such persons in accordance with the percentage(s) shown below.

<u>Name, Social Security No. &amp; Date of Birth</u>	<u>Address</u>	<u>Relationship</u>	<u>%</u>
My primary beneficiary or beneficiaries shall be:			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			Must Total 100%

My contingent beneficiary or beneficiaries shall be:			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			Must Total 100%

Unless another method of payment is specified on this form or attached to this form, the following shall apply: If no percentages are indicated, the death benefit shall be divided equally among the primary beneficiaries who are surviving on the date of my death. If percentages are indicated, and if any of the primary beneficiaries shall die before me, his or her share of the death benefit (which would have been due had such beneficiary survived me) shall be divided among the surviving primary beneficiaries in proportion to the respective percentages shown for the surviving primary beneficiaries. If none of the primary beneficiaries survive me, then the death benefit shall be divided among the surviving contingent beneficiaries equally or, if percentages are indicated, in proportion to the respective percentages shown for the surviving contingent beneficiaries.

Any previous designation of beneficiary made by me is revoked, and the right to revoke this designation at any time is expressly reserved by me. I understand that if I am married, I do not need my spouse's approval to revoke this beneficiary designation; however, any new designation not naming my spouse as the sole primary beneficiary requires my spouse's consent.

Date: \_\_\_\_\_ Employee's Signature: \_\_\_\_\_

**SPECIAL BENEFICIARY DESIGNATION FOR MARRIED PARTICIPANTS  
AND WAIVER OF QUALIFIED PRERETIREMENT SURVIVOR ANNUITY**

Name: \_\_\_\_\_ Soc. Sec. No: \_\_\_\_\_ Birthdate: \_\_\_\_\_

Plan: \_\_\_\_\_

**Naming a beneficiary is personal and very important to you. You are advised to seek legal advice in completing this form.**

I have read and understand the written Explanation of the Qualified Preretirement Survivor Annuity supplied to me, which includes the terms of the annuity, my right to make this waiver election, the time period during which I may make this waiver election, and the financial effect of my election. After having done so, I elect to waive my right to have my death benefit, if any, paid to my spouse as a Qualified Preretirement Spouse's Annuity, and elect for any death benefits to be paid in the form indicated below. I understand that for this election to be effective, my spouse's notarized approval is required. I understand that my beneficiary may have the option of electing a different form of payment prior to the date that benefits are scheduled to begin.

- (a) A lump sum payment of the death benefit (less income tax withholding).
- (b) Annuity payments other than the Qualified Preretirement Survivor Annuity (if permitted by the plan).

I designate the person or persons named below as my primary beneficiary or beneficiaries (and contingent beneficiary or beneficiaries) to receive any death benefit under the above Plan, and I direct that such amount be divided among such persons in accordance with the percentage(s) shown below. I understand that if I am designating a person other than my spouse as primary beneficiary that my spouse's notarized approval is required for this election to be effective.

<u>Name &amp; Social Security No.</u>	<u>Address</u>	<u>Relationship</u>	<u>%</u>
My primary beneficiary or beneficiaries shall be:			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			(Must Total 100%)
My contingent beneficiary or beneficiaries shall be:			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			(Must Total 100%)

Unless another method of payment is specified on this form or attached to this form, the following shall apply: If no percentages are indicated, the death benefit shall be divided equally among the primary beneficiaries who are surviving on the date of my death. If percentages are indicated, and if any of the primary beneficiaries shall die before me, his or her share of the death benefit (which would have been due had such beneficiary survived me) shall be divided among the surviving primary beneficiaries in proportion to the respective percentages shown for the surviving primary beneficiaries. If none of the primary beneficiaries survive me, then the death benefit shall be divided among the surviving contingent beneficiaries equally or, if percentages are indicated, in proportion to the respective percentages shown for the surviving contingent beneficiaries.

Any previous designation of beneficiary made by me is revoked, and the right to revoke this designation at any time is expressly reserved by me. I do not need my spouse's approval to revoke this election and beneficiary designation; however, any new designation not naming my spouse as the sole primary beneficiary requires my spouse's consent.

I understand that this election and beneficiary designation will be revoked (1) if I later remarry, in which case my new spouse will become the new sole primary beneficiary, or (2) on the first day of the Plan Year in which I reach age 35 (if my election was made prior to age 35), in which case my spouse will become the new sole primary beneficiary. If after reaching age 35 I still wish to designate someone other than my spouse to be my primary beneficiary, I understand that I must make another election/beneficiary designation approved by my spouse.

Date: \_\_\_\_\_ Employee's Signature: \_\_\_\_\_

**SPOUSAL APPROVAL**

I certify that I have read and understand the written explanation of the Qualified Preretirement Survivor Annuity supplied to my spouse, including the terms of the Qualified Preretirement Survivor Annuity, my right not to consent to this waiver election, the time period during which my spouse and I may make this waiver election, and the financial effect of the election. I understand that I have a right to a Qualified Preretirement Survivor Annuity from the plan if my spouse dies before he or she begins receiving retirement benefits and I agree to give up my right to this benefit. I understand that by signing this agreement, I may receive nothing from the plan after my spouse dies. I understand that I do not have to sign this agreement. I am signing this agreement voluntarily to consent to the above election and beneficiary designation made by my spouse. I understand that this consent cannot be revoked by me unless my spouse revokes this waiver election.

Date: \_\_\_\_\_ Spouse's Signature: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf  
of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY that the foregoing paragraph is true and correct.  
WITNESS my hand and official seal.

Signature: \_\_\_\_\_

[This area for official notarial seal.]