WESTERN PENSION & BENEFITS CONFERENCE
SAN FRANCISCO CHAPTER

PENSION & BENEFITS TODAY

President's Letter

With Spring just around the corner and the San Francisco Giants poised to return to the World Series later this year to play (cross your fingers) my home team Detroit Tigers, the Chapter's various committees have been working hard to bring us some excellent presentations over the next several months.

On March 23rd, the Silicon Valley Committee will host its half-day annual Spring meeting at Cadence Design Systems in San Jose. Many thanks to our friends at Cadence for graciously donating their wonderful facilities for our meeting. A free Brown Bag lunch program for members only will be held on March 30th on Retirement Plan Audits. And mark your calendars for our last monthly regular meeting on April 20th. On May 19th, the San Francisco Program Committee will host the popular half-day Annual Spring Conference at the Palace Hotel. All of these Chapter programs lead up to the annual Western Benefits Conference (a joint conference co-sponsored by the WP&BC and ASPPA). This year, the Western Benefits Conference will be held in fabulous Las Vegas Nevada, July 24-27th at the Bellagio Hotel. Of course, I will be hanging out at the Sands for the clambake looking for Francis Albert, Deano, Sammy, Joey, and that other guy. For more event information, please refer to our website: www.westernpension.org.

Speaking of our website, the WP&BC chapters have been evaluating the current website from a variety of perspectives to determine how we can improve this important communications tool to our members and prospective members. In connection with this review effort, a survey was sent to members last fall. We were pleased to learn that in terms of overall satisfaction with the website, more than two-thirds of the respondents stated that they were Satisfied or Very Satisfied. Complete survey results are located within this Newsletter.

I am pleased to announce that we have unveiled a brand new Benefits Opinion Blog/Social Media Site to provide an opportunity for members to post comments on topics of interest to the benefits community and elicit feedback and reaction from your fellow members. Please add a post today: www.lm-mgmt.com/wpbcsf.

On behalf of your Board of Directors, please free to contact any of us to share your ideas and suggestions for future topics and speakers.

Onward and Upward,

Tim Shortt
Tim.G.Shortt@wellsfargo.com

MANY THANKS TO OUR 2010-11 CHAPTER SPONSORS

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IN THE SPRING 2011 ISSUE:

Feature Article

How Will the Advisor Community Help Plan Sponsors Navigate the New Fee Disclosure Rules?

Michael L. Rogers, Director – Assurance, Burr Pilger Mayer, Inc.

I have been watching with great interest the various responses by the advisory community to three primary pieces of legislation pertaining to retirement plans. It remains to be seen how the industry ultimately responds and how these responses are viewed by plan sponsors.

Fiduciary Standard of Care

An advisor will either accept or decline the invitation to serve in the capacity of a fiduciary. While the advisor may be prohibited from signing on as a fiduciary to the plan for one reason or another, declining that invitation is not likely to increase the client's comfort level with that third party.

An advisor can provide an important educational service to the plan sponsor simply by making a list of each service provider to the plan along with a "Yes" or "No" notation as to whether the party is serving in a fiduciary capacity. The plan sponsor will prefer to share the fiduciary role with at least one other party rather than bear the burden alone. Historically, third parties in the roles of record-keeper, third party administrator, custodian or broker have been exempt under the current definition of a fiduciary. These rules may change drastically at the conclusion of this debate.

The advisory community should encourage advisors to serve as fiduciaries and share in the responsibility of ensuring that benefiting the participants is the primary purpose of the plan.

Service Provider Fee Disclosure

While it was a bit disappointing to see the Department of Labor push back Service Provider Fee Disclosure until January 1, 2012, it will be more than worthwhile if the final release by the Department of Labor includes a standardized disclosure format. There are still plenty of plan sponsors who are not aware of their current fees due to the majority of the expenses being paid via the plan investment options. A standardized disclosure format would help plan sponsors put a dollar figure on the total fees being charged to their plans.

The advisor community should strongly consider creating an environment of voluntary advisor benchmarking (comparing fees and services). There are several independent firms that specialize in benchmarking all aspects of plan costs. Were this process also applied to advisor compensation, the result would be meaningful discussions about fees and services between the advisor, the plan sponsor, and the vendor community.

Those discussions would educate plan sponsors as to the various factors that determine the costs of their plans. These educated sponsors would then be in a position to either make adjustments that help reduce or stabilize costs, or defend the current costs of their plans. It is the role of the advisor to understand the nuances of the various platforms and help their clients negotiate the playing field. Plan sponsors are in a better position if they are being serviced by experienced, adequately staffed vendors with strong balance sheets and profitable service models. Lowest cost does not necessarily mean the best and highest does not mean the worst. The advisor community aids vendor sustainability when it helps plan sponsors obtain services they deem important in exchange for reasonable fees.

The plan sponsor is best served by having access to meaningful benchmarking on total plan costs (including advisor compensation costs) to assist in obtaining reasonable fees for services rendered.

Participant Fee Disclosure

There are compelling arguments that excessive participant fee disclosure will alienate participants rather than help them make better retirement investment choices. To use the metaphor of selecting a new car: Suppose that you have determined that you need a particular brand or type of car. You then use the web and a variety of other resources to gather as much information as possible. Finally, your buying decision is based on the total cost of the car in relation to the other suitable alternatives. An exhaustive list of what the tires cost or how much the manufacturer paid for the radiator do little to assist you in the selection the automobile that best meets your needs.

continued on page 3

Feature Article:

How Will the Advisor Community Help Plan Sponsors Navigate the New Fee Disclosure Rules?

(continued from page 2)

There are two ways advisors can assist their clients in the area of participant fee disclosure. The first involves educating clients about the pitfalls of an excessive reliance on revenue sharing as an effective cost control mechanism. The second relates to how the retirement plan vendors are compensated. (Remember, only dollars coming out of plan assets to pay expenses are subject to the new disclosure requirements at the participant level.)

With regard to revenue sharing: A fund that paid zero revenue sharing would allow for simpler fee disclosure. The vendor would need to identify their costs in the form of either an asset based fee or some fixed per-head charge. This cost could either be billed to the client directly or deducted from the participant accounts. If deducted from the participant accounts, the fee disclosure is straight forward because the participant would see that specific fee coming out of their account. In contrast, a fund that pays revenue sharing creates a less transparent fee structure. Out of the total expenses of the fund, some is being paid to the fund manager while another portion is going to another party for administrative costs. It would make things a whole lot easier if every fund company had a single share class for each fund with no revenue sharing.

With regard to how plan vendors are compensated: Advisors can assist plan sponsors by working with the vendors to create a flat or fixed fee structure. From a benchmarking perspective, this will obviously help in future years since the plan assets will continue to grow but the total administrative fees (which remain fixed) will decline as a percentage of assets. Participants understand that they have to pay fees for medical insurance via their employer's health plan since these amounts are deducted from their paychecks. Many are not aware that they are actually paying fees for their retirement plan. Once these same sorts of cost components are outlined, the communications can be made in a much more straight forward manner. A participant who understands that a retirement plan vendor charges $120.00 per year would then understand the $30 per quarter charge deducted from their account. Another possible option would be to have the plan sponsors collect those fees via payroll withholding just like they do for medical insurance. A fixed fee arrangement allows for easier to understand communication.

The participants are best served by receiving pro-active communication that is easy to understand regarding the plan fees. The regulations will mandate a required format but that does not mean a plan sponsor cannot use additional means to get the information in the hands of the participants.

Conclusion

In conclusion, there is a lot of change on the horizon for retirement plans that will involve the advisor community. It will either be part of the solution or part of the problem. The time is now to decide how to best help our clients. Acting in a fiduciary capacity, benchmarking fees and services, and simplifying fee disclosure are some ways we can educate our clients and increase the value of our services to them.

The Newsletter is always looking for contributors. If you would like to write a topical benefits-related article or compile the quarterly regulatory update for an upcoming issue, please contact Melissa Mayhew at Melissa.Mayhew@buckconsultants.com, or Ed Kriete at Edward.J.Kriete@wellsfargo.com

WP&BC SPRING CONFERENCE 2011

EMBRACING A BRAVE NEW BENEFITS WORLD…THE TIME IS NOW

The San Francisco Chapter will hold our annual Spring Conference on May 19 at the Palace Hotel in San Francisco. The committee has been working on a dynamic program focusing on the changes we are currently encountering in our benefits program. Some of the topics our program will explore include:

The Impact of Social Media, Decumulation Strategies for Defined Contribution Plans, Plan Governance and Best Practices, an Economic Overview and a look at *Wellness Programs for Health and Welfare Plans.*

We look forward to seeing you at this year's Spring Conference! Additional details will be forthcoming.

Member Profile:
Scott Keswick

Name: **Scott Keswick**

Company: Silicon Valley Retirement Services

Title: Principal

Years in the industry: 15 years

First "real" job: My first paying job was as a gymnast on the U.S. National Team. I was a member of the National Team from 1989 – 1996 and competed in the 1992 Olympic Games in Barcelona. I received a small salary from USA Gymnastics after I completed my collegiate eligibility and was also able to earn additional money by performing in exhibitions and through speaking engagements after the 1992 Olympic Games.

Education: BS in Mathematics/Applied Science, UCLA

BUSINESS BACKGROUND

Nature of your work: Silicon Valley Retirement Services is a Registered Investment Advisor and Plan Administration Consulting company. We provide customized retirement plan services to small and mid-sized companies in the Bay Area, including investment management, employee education, retirement plan consulting and fiduciary support. My primary focus is on the plan administration consulting and fiduciary support aspects of our business. I work with clients to help ensure the plan is designed to meet the objectives of the plan sponsor. I also consult directly with clients on compliance testing, Form 5500 filing and all aspects of plan administration.

How you got into the field: I got into the retirement services field through a series of informational interviews I set up when I moved from Los Angeles to the Bay Area. I arranged to have interviews with 6 people from different industries so I could learn more about each industry. One of the companies I interviewed with was a local, privately held third party administration and investment advisory firm.

What you like about the field: I majored in Math at UCLA and enjoy the technical and financial aspects of the business. I also enjoy the consulting and relationship management side of the business because it allows me to work with each individual client to fine tune their plan so it becomes a powerful benefit for both the plan sponsor and their participants. I think it's the combination of technical work and client interaction that keeps the job fun and interesting.

PERSONAL

Ways you spend free time: I enjoy golf, skiing and roller hockey. I also joined a Tae Kwon Do studio a couple of years ago so I can share the martial arts experience with my oldest son. He recently earned his black belt and it was a lot of fun to watch him excel during the final countdown to his black belt test. I hope to earn my black belt in 2013.

Guiding philosophy: One of my favorite quotes is by Leo Rosten: "The purpose of life is to matter, to be productive, to have it make some difference that you lived at all. Happiness, in the ancient, noble version means self-fulfillment, and is given to those who use to the fullest whatever talents God or luck or fate bestowed upon them." I try to apply this philosophy to my life and make a difference in the lives of my family and friends. I also work hard to make a difference for my clients and their retirement plan participants.

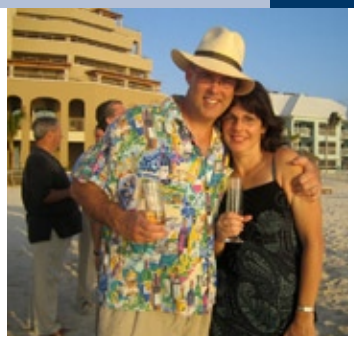
Favorite charity: Arthritis Foundation

Last books read: *Words That Work: It's Not What You Say, It's What People Hear* by Dr. Frank Luntz, *Change Your Thoughts – Change Your Life, Living the Wisdom of the Tao* by Dr. Wayne Dyer, *The Lost Symbol* by Dan Brown.

Restaurant recommendation: Maurizio's in Morgan Hill, Melting Pot in San Mateo, Kalani's in Lake Tahoe.

What will you do when you retire? I would love to travel with my wife when we retire. There are so many fascinating places, both within the U.S. and abroad that I would like to visit. I hope to be healthy enough to spend time on the golf course with friends. I also want to be located relatively close to my children so we can stay connected with them and be actively involved with their families.

Meet Committee Chair
Steve Kjar



Name:	**Steve Kjar**
Company:	Lockton
Title:	Vice President & Retirement Plan Consultant
Years in the industry:	30
First "real" job:	Newspaper Carrier for the Mason City Globe Gazette. I delivered 60 daily newspapers each afternoon after school. My brothers and I also owned two riding lawn mowers and two push lawn mowers and we clipped grass for about 20 clients.
Education:	BA in Economics and Business Administration Coe College; CIMA®, Certified Investment Management Consultant; CEBS, Certified Employee Benefits Specialist

BUSINESS BACKGROUND

Nature of your work: Fiduciary Risk Mitigation for retirement plan sponsors. Our services include investment consulting; service, fee and revenue benchmarking; vendor optimization; on-going fiduciary oversight processes and procedures; communication consulting; vendor selection and transition management.

How you got into the field: A "cold call". I graduated from college and went to Des Moines to look for a job. I stopped by a big building, filled out an application and gave them my resume. They gave me an interview and asked why I stopped there to share my information. I said it was because the firm had such a great reputation for developing young people. The Bankers Life (now Principal) hired me to be a Pension Underwriter. Fortunately, they did not ask me who they were or what they did during the interview because I had no idea.

What you like about the field: I enjoy the different businesses, personalities and characters I get to meet on a daily basis. I also appreciate the challenge to stay current.

PERSONAL

Ways you spend free time: For the past 20 years, we have been very involved with our two daughter's activities including swim team, band and color guard, drama programs and all of their other interests. One of them is in college now and the other is a senior in high school so my wife and I are getting reacquainted. I like to read, golf, swim, bicycle, drink wine and cheer for the Sharks. I also took up the piano about 4 years ago.

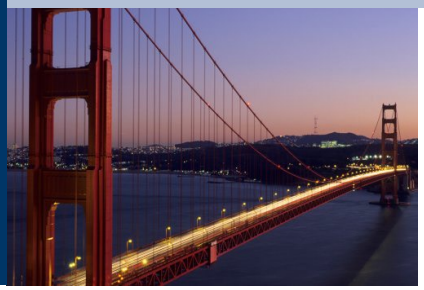
Guiding philosophy: Be responsible, take responsibility and be honest with others and with yourself. Be open to new people and attempt to understand their perspective and point of view.

Favorite charity: Lockton Cares! Lockton feels very strongly about community service and our responsibility to the community. Lockton Cares! is our charitable organization that provides financial support to various charitable organizations in the Bay Area. Additionally, we are involved in a number of outreach activities throughout the Bay Area. I recently spent a day distributing food at a YMCA program as part of our community service outreach.

Last book read: I just finished Stieg Larsson's three books starting with *The Girl with the Dragon Tattoo,* and *The Big Short: Inside the Doomsday Machine* by Michael Lewis. Larsson's books were highly entertaining and I highly recommend them. I also really enjoyed The Big Short. It all seems so obvious now. Currently, I am reading *The Zen of Social Media Marketing: An Easier Way to Build Credibility, Generate Buzz and Increase Revenue* by Shama Kabani and attempting to learn something new!

Restaurant recommendation: Any place with peanut shells on the floor. Also, Phil's Fish Market in Moss Landing (try the cioppino), Malibu Grill in San Jose (check out the ribs) and The Pour House in San Jose for Cajun and live blues prior to a Sharks game.

What will you do when you retire? Enjoy my family, find something new to learn, remain engaged with my friends and try to stay active and relevant.



Qualified Retirement Plans

PBGC Extends Reportable Events Guidance: On December 3, 2010, the Pension Benefit Guaranty Corporation ("PBGC") issued Technical Update 10-4, which extends the reportable events guidance provided under Technical Update 09-4 for the 2011 plan year. Section 4043 of the Employee Retirement Income Security Act of 1974, as amended ("ERISA") and the PBGC's regulations on reportable events require that retirement plans notify the PBGC in the event of certain reportable events, including the failure to timely make required funding contributions. The Pension Protection Act of 2006, as amended ("PPA"), made additional changes to ERISA's reportable events requirements and the PBGC issued three Technical Updates to provide temporary guidance on compliance with the PPA: Technical Update 07-2 dealing with plan years beginning in 2007, Technical Update 09-1 dealing with plan years beginning in 2009 and Technical Update 09-4 dealing with plan years beginning in 2010. Technical Update 10-4 provides additional guidance on compliance with the reportable events requirements as amended by the PPA and addresses funding-related determinations for purposes of waivers, extensions, and the advance reporting threshold test, as well as missed quarterly contributions.

Technical Update 10-4 is effective for plan years beginning in 2011 and the PBGC expects to issue final rules amending its reportable events regulations in 2011.
http://www.pbgc.gov/

Service Releases 2010 Cumulative List of Changes: On December 14, 2010, the Internal Revenue Service ("Service") released an advance copy of Notice 2010-90, which contains the 2010 Cumulative List of Changes in retirement plan qualification requirements. Notice 2010-90 outlines the required statutory, regulatory, and guidance changes to be used by Cycle A filers when submitting retirement plans to the Services for opinion, advisory, and determination letters. Notice 2010-90 contains all of the changes in statutes, regulations and guidance affecting qualified retirement plans since December 14, 2005, as well as provisions in the 2005 Cumulative List of Changes that were applicable to pre-approved defined contribution plans. In addition, Notice 2010-90 includes provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree, and Employer Recovery Act of 2008, and the Small Business Jobs Act of 2010.

Individually designed retirement plans are reviewed by the Service for qualification compliance on a five-year remedial amendment cycle (Cycles A through E). Plan sponsors may request determination letters during the Cycle A period, if they maintain the following types of plans:

- Single employer individually designed defined contribution plans, including employee stock ownership plans, and single employer individually designed defined benefit plans, for which the last digit of the employer identification number of the plan sponsor is one or six.
- Pre-Approved defined contribution plans (i.e., master and prototype or volume submitter plans) for the second submission under the remedial amendment cycle.
- Controlled groups of companies which maintain multiple retirement plans, if a controlled group election is made.

The Cycle A determination letter application period runs from February 1, 2011 through January 31, 2012.
http://www.irs.gov/

Service Announces New User Fee for Determination Letter Requests: Effective February 1, 2011, Revenue Procedure 2011-8 has changed the Service's user fees for filing favorable determination letter requests for qualified retirement plans. The fee changes include those for filing Form 5300 (Application for Determination for Employee Benefit Plan) and Form 4461 (Application for Approval of Master or Prototype or Volume Submitter Defined Contribution Plans). Under Revenue Procedure 2011-8, the Service has substantially increased the filing fees from $1,000 to $2,500 (for determination letter requests without Demo 5 (average benefit percentage test) and Demo 6 (general test)) and from $1,800 to $4,500 (for requests with Demo 5 or Demo 6).

Although the current Form 8717 (User Fee for Employee Plan Determination, Opinion, and Advisory Letter Request) has not yet been updated to reflect the new fees, the Service has advised plan sponsors to continue to use the old Form 8717 until the new one is available, and, beginning February 1, 2011, submit this form with the new Revenue Procedure 2011-8 fees. Announcement 2011-8 corrected the user fee schedule in Revenue Procedure 2011-8 for non-mass submitter master or prototype plans.
http://www.irs.gov/

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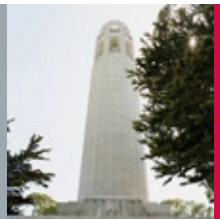

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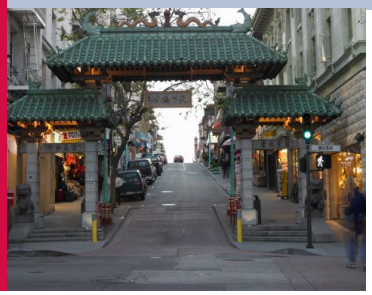

Executive Compensation

SEC Adopts Final Say-on-Pay Rules: On January 25, 2011, the Securities and Exchange Commission ("SEC") announced that it had adopted final rules concerning shareholder approval of executive compensation and golden parachute compensation arrangements as required under the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 ("Dodd-Frank Act"). The final rules provide that say-on-pay votes required under the Dodd-Frank Act must occur at least once every three years beginning with the first annual shareholders' meeting taking place on or after January 21, 2011. The final rules also provide that companies must hold a "frequency" vote at least once every six years to allow shareholders to decide how often they would like to be presented with the say-on-pay vote, and after the frequency vote, companies must disclose how often they will hold the say-on-pay vote on the SEC Form 8-K. The final rules also require companies to provide additional disclosure on golden parachute compensation arrangements with certain executive officers in connection with merger transactions. In addition, the final rules contain a temporary exemption for companies that qualify as smaller reporting companies with public float of less than $75 million as of January 21, 2011, from conducting say-on-pay and frequency votes until annual meetings occurring on or after January 21, 2013.

These final rules are effective as of April 4, 2011 and companies are required to comply with the golden parachute compensation shareholder advisory vote and disclosure requirements in proxy statements and other schedules and forms initially filed on or after April 25, 2011
http://www.sec.gov

Health and Welfare Plans

Additional FAQs on Health Care Reform Implementation Issues Released: On December 23, 2010, the Departments of Health and Human Services, Labor and Treasury released additional frequently asked questions ("FAQs") relating to the implementation of the Patient Protection and Affordable Care Act of 2010 ("PPACA"). This is the fifth set of FAQs relating to PPACA, and it provides information on value-based insurance design, automatic enrollment, dependent coverage, preexisting condition exclusions, grandfathered plans, mental health parity and nondiscrimination issues.

The fourth set of FAQs was released on October 29, 2010 and addressed grandfather disclosure statements, cost sharing provisions, grandfathered plans, and lifetime limits. The third set of FAQs was released on October 12, 2010 and addressed group health plan exemptions. The second set of FAQs was released on October 8, 2010 and addressed grandfather rules, dental and vision benefits, rescissions, preventive health services, and clarification of policy year. The first set of FAQs was released on September 20, 2010 and addressed the grandfather rules, adult dependents, claims, appeals and external review, and additional compliance.
http://www.dol.gov/ebsa

Services Addresses Nondiscrimination Provisions for Insured Group Health Plans: On December 22, 2010, the Service released Notice 2011-1 addressing the timing of the application of PPACA's provisions prohibiting insured group health plans from discriminating in favor of highly compensated individuals. Section 10101 of PPACA provides that insured group health plans must satisfy the requirements of Section 105(h) of the Internal Revenue Code of 1986, as amended ("Code") relating to nondiscrimination rules for self-insured group health plans. It also provides that rules "similar to" the rules contained in Section 105(h) of the Code will apply to insured group health plans for nondiscriminatory eligibility classification, nondiscriminatory benefits, and certain controlled groups. Failure to comply with PPACA's nondiscrimination rules may subject an insured group health plan to an excise tax, which is generally $100 per day per individual for each day the plan does not comply, and/or a civil action under ERISA. Under PPACA, these new nondiscrimination requirements for insured plans were to take effect for the first plan year beginning on or after September 23, 2010.

In September 2010, the Service released Notice 2010-63 requesting comments on these new nondiscrimination requirements. Comments from the health plan community expressed concerns about compliance with these rules in the absence of additional guidance. In particular, plan practitioners were concerned that PPACA's reference to the application of rules "similar to" those contained in Section 105(h) of the Code made regulatory guidance essential to compliance. Based on these comments, the Service released Notice 2011-1, which provides that compliance with these new nondiscrimination provisions are not required until the plan year following the year in which regulatory guidance is

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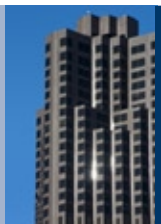

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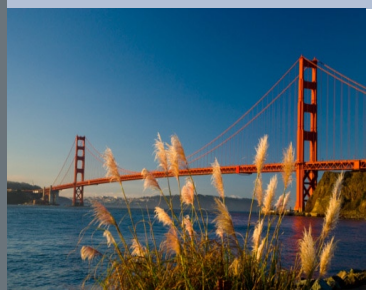


issued. Notice 2011-1 further provides that any sanctions for failure to comply do not apply until regulations or additional guidance has been released.

The Service anticipates releasing additional guidance for insured group plans in the future and is seeking comments on what issues should be addressed in that guidance. Comments are due no later than March 11, 2011.
http://www.irs.gov/

Joint Guidance

Departments of Treasury and Labor and the Internal Revenue Service Release 2011 Agenda: On December 7, 2010, the Department of Treasury and the Service released their 2010-2011 Priority Guidance Plan ("Guidance Plan"), which lists the issues that will be the subject of formal guidance from July 2010 through June 2011. On December 20, 2010, the Department of Labor ("Department") released its semiannual regulatory agenda for Fall 2010 ("Regulatory Agenda"). The Regulatory Agenda is a listing of all the regulations the Department expects to have under active consideration for promulgation, proposal, or review during the coming six to twelve month period.

The Guidance Plan and Regulatory Agenda include pending items addressing the following areas:

Qualified Retirement Plans

- Guidance under Section 101(j) of ERISA regarding notice requirements applicable to single-employer retirement plans that become subject to funding based limitations.
- Final regulations on suspension or reduction of safe harbor contributions under Sections 401(k) and (m) of the Code.
- Guidance on a prototype program for plans under Section 403(b) of the Code.
- Guidance on rules applicable to employee stock ownership plans ("ESOPs") under Sections 409 and 4975 of the Code.
- Guidance on pick-up arrangements under Section 414(h)(2) of the Code.
- Guidance updating the Employee Plans Compliance Resolution System ("EPCRS").
- Guidance on eligible combined plans under Sections 414(x) of the Code.
- Final Regulations on determination of minimum required contributions under Section 430 of the Code.
- Guidance on ERISA's claims procedures, including notice, timing, appeals and other elements of the claims procedures regulations.
- Guidance under Section 4980F of the Code regarding notice requirements for certain plan amendments to hybrid plans.

Executive Compensation

- Guidance providing model language on elections under Section 83(b) of the Code.
- Regulations under Section 162(m) of the Code.
- Guidance under Sections 280G and 4999(a) of the Code on change in ownership.
- Final regulations under Section 409A of the Code on income inclusion.

Health and Welfare

- Guidance on PPACA, including final regulations for grandfathered plans, preexisting conditions exclusions, lifetime and annual limits and recessions and patient protections, and internal and external appeals processes.
- Final regulations on cafeteria plans under Section 125 of the Code.
- Guidance on the application of Section 162(l) of the Code to premiums payments for continuation coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended ("COBRA").
- Guidance under Section 4980B of the Code regarding calculation of the applicable premium for COBRA continuation coverage.
- Regulations under Section 513 of the Code explaining how to compute unrelated business taxable income of voluntary employees' beneficiary associations ("VEBAs") described in Section 501(c)(9) of the Code.
- Guidance on ERISA's fiduciary provisions.
- Guidance on reporting the aggregate cost of employer sponsored health care coverage under Section 6051(a)(14) of the Code.
- Enhanced fee disclosure guidance for welfare plans.

Status updates for the various projects can be found on the Service's and Department's websites.
http://www.irs.gov/
http://www.dol.gov/ebsa

As always, our deepest thanks to Katuri Kaye and Bill Berry of Orrick, Herrington & Sutcliffe LLP for their tireless work on the Quarterly Regulatory Updates.

Chapter Meeting Notes

Our chapter was pleased to present the following meetings and events:

January 26, 2011
S.F. Chapter Meeting
Sponsor: **Fidelity Investments**

FACING THE CHALLENGES AND OPPORTUNITIES OF PROVIDING BENEFITS TO TODAY'S MULTI-GENERATION WORKFORCE: A PANEL DISCUSSION

Panelists:
Michon Caton, Gap, Inc.
Catherine Furco, Towers Watson
Barbara Pletcher, Trucker◆Huss
Ruth Schau, AON Hewitt
Nicole Smith, Franklin Templeton Companies

February 23, 2011
S.F. Chapter Meeting
Sponsor: **Vanguard**

DOL SPEAKS WITH CORPORATE COUNSEL – AN EXCLUSIVE PANEL SESSION WITH JOE CANARY OF THE DEPARTMENT OF LABOR

Speaker:
Joe Canary, Department of Labor

Panelists:
Dan Taylor, Home Depot
Jeannie Leahy, Hewlett Packard

Mar 30 — **Brown Bag Lunch**
Retirement Plan Audits
600 California St., 12th Floor, San Francisco
Speaker: *Mike Rogers,* Burr Pilger Mayer

Chapter Meetings

Mar 23 — **Silicon Valley Spring Conference (half-day)**
Cadence Design, San Jose

Apr 20 — **S.F. Chapter Meeting**
The Palace Hotel, San Francisco

May 19 — **San Francisco Spring Conference (half-day)**
The Palace Hotel, San Francisco

2011 VS. 2010 RETIREMENT PLAN LIMITS

Because of the continued economic malaise, the retirement plan limits for 2011 remained the same as for 2010.

Type of Limitation	2010 & 2011 limit
Elective deferrals for 401(k), 403(b), 457(b)(2), 457(c)(1) plans	$ 16,500
Annual benefit for defined benefit plans	$ 195,000
Contributions to defined contribution plans	$ 49,000
Contributions to SIMPLEs	$ 11,500
Contributions to IRAs	$ 5,000
Catch-up contributions to 401(k), 403(b), 457(b)(2), 457(c)(1) plans	$ 5,500
Catch-up contributions to SIMPLEs	$ 2,500
Catch-up contributions to IRAs	$ 1,000
Compensation for benefit purposes for qualified plans and SEPs	$ 245,000
Compensation for SEP coverage	$ 550
Highly compensated employee threshold	$ 110,000
Social Security taxable wage base	$ 106,800

WP&BC Members Provide Input on Website

The WP&BC Chapters have been evaluating the current website from a variety of perspectives to determine how we can improve this important communications tool to our members and prospective members. In connection with this review effort, last fall a survey was sent to members of all the WP&BC chapters to learn about how members were using the site, what they do and don't like about it, along with some suggestions to improve it. Here is an overview of that survey and the highlights of what we learned.

Total Responses: 197
Responses from SF Chapter 52 (31%)
(highest Chapter response; Denver 2nd with 34 responses)
Responses from active members 149 (89%)

Nearly 40% stated that they rarely visit the site, with 31% reporting that they visit the site *monthly* and 14% visiting the site *bi-monthly*.

The top three purposes respondents gave for visiting the site were:
Register for Chapter Events 76%
Become a Member or Renew Membership 57%
Monitoring Upcoming Events 45%

The lowest three responses given for visiting the site were:
Downloading Educational Articles/Resources
or Presentations 14%
Reviewing Job Openings Posted by the Chapter. 6%
Other (not specified) 6%

In terms of overall satisfaction with the website, more than two-thirds of the respondents stated that they were *Satisfied* (49%) or *Very Satisfied* (20%). Thirty percent stated they were neutral in their satisfaction and 10% stated they were Dissatisfied with the website overall.

Chapter administrators have been evaluating the website for its administrative functionality and developing an updated requirements document to present to the current service provider and to other association management system providers to explore the feasibility of enhancing and improving this important service.

We also received a number of highly useful comments from the survey, pointing out both strengths and weaknesses with the site. Anyone interested in reading the full survey results is invited to contact our executive director, Michael LoBue (lobue@wpbcsf.org).

Employment Opportunities

WORKPLACE REGIONAL SALES MANAGER
FIDELITY PERSONAL & WORKPLACE INVESTING, PLANNING & PRODUCTION DISTRIBUTION GROUP, PARTICIPANT SALES
PACIFIC NORTHWEST MARKET (GREATER SAN FRANCISCO BAY AREA)

The Workplace Regional Sales Manager leads a team of Workplace Planning & Guidance Consultants (PGC) and Investment Educational Consultants (IEC). As a Regional Sales Manager you will lead, develop and coach a team who engages participant level guidance in an effort to drive Workplace and Retail sales opportunities within the Tax Exempt Market and provide education to the 401k Marketplace.

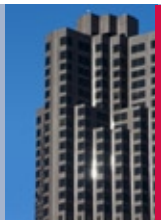
RESPONSIBILITIES:
- Coach IECs and PGCs to deliver fundamental or complex guidance to workplace plan participants, utilizing Fidelity's tools.
- Regional responsibility for ensuring a strong partnerships business partners to achieve designated loyalty measures.
- Each Regional Manager is responsible for exceeding assigned regional targets within the defined territory. This includes driving both Personal Investing and Workplace sales, PWI cash flow and client profitability measures; while ensuring that all regulatory compliance requirements are met.

LICENSING & EXPERIENCE:
- REQUIRED: Series 7, 66 (63/65), 9/10 Licenses
- Minimum 5 years Financial Sales Management experience

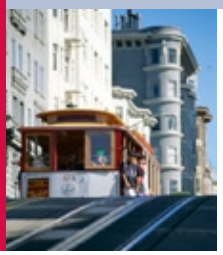
Applicants should contact Staci.Duckworth@FMR.com for more information.

This service is provided quarterly to our readers. If you wish to post an employment opportunity, please read the following note.

We do not warrant or claim that listings are accurate as written, and we cannot guarantee their timeliness. Listings must comply with applicable regulations for employment advertising. Email all listings to info@wpbcsf.com for a price quote. Ad cost is $50 for every 25-word segment. The next deadline for submission is June 1 for the Summer 2011 issue. Call Michael LoBue at the Chapter office for more information – (415) 561-6274.



Chapter Info
Member Moves/Updates
Board of Directors



WESTERN PENSION & BENEFITS CONFERENCE – SAN FRANCISCO CHAPTER

PO Box 29920
San Francisco, CA 94129-0920
(415) 561-6274 Fax: (415) 561-6120
email: info@wpbcsf.org
http://www.westernpension.org

New To the Chapter

Danielle Broude
Alliance Bernstein

Deanne Lynn Goldstein
Wells Fargo Bank

Mark James Hanna
Hanna Global Solutions

Nguyet Ly
Fidelity Investments

Jane McKeever
Wells Fargo Bank

Derek Windham
Del Monte Foods

On The Move

Ward Kallstrom has moved to Seyfarth Shaw LLP