

Mercer's Law & Policy Group | 2022 US defined benefit plan compliance calendar

Single-employer defined benefit plans for plan years beginning Jan. 1, 2022¹**Jan. 15 (Saturday)**

- Q4 contribution for 2021 plan year²

Jan. 31 (Monday)

- Form 1099-R to recipients of 2021 distributions
- Form 945 for 2021 nonpayroll withholding if deposits were not made on time and in full to pay all taxes due³

Feb. 10 (Thursday)

- Form 945 for 2021 nonpayroll withholding if deposits were made on time to pay all taxes due³

Feb. 28 (Monday)

- Form 1099-R to IRS if filed on paper (use Form 1096 to transmit)⁴

March 15 (Tuesday)

- Minimum funding waiver request for 2021 plan year

March 31 (Thursday)

- Form 1099-R to IRS if filed electronically⁴

April 1 (Friday)

- First minimum required distributions to participants who reached their required beginning date in 2021⁵
- Actuary's certification of 2022 adjusted funding target attainment percentage (AFTAP) to avoid presumption that 2022 AFTAP is 10% less than 2021 AFTAP

April 15 (Friday)

- Q1 contribution for 2022 plan year
- PBGC 4010 (Notice of Underfunding) due for affected plans, including information for 2021 plan year⁶

April 30 (Saturday)

- Annual funding notice to participants, beneficiaries, unions and PBGC for 2021 plan year²

May 1 (Sunday)

- Notices due for plans subject to benefit restrictions on April 1, 2022, based on presumed 2022 AFTAP^{2,7}

May 2 (Monday)

- PBGC reconciliation filing without late-payment penalties for plans that filed an estimated variable-rate premium for 2021

July 15 (Friday)

- Q2 contribution for 2022 plan year

July 29 (Friday)

- Summary of material modifications or updated summary plan description furnished to participants, if amendments adopted in 2021 plan year

Aug. 1 (Monday)

- Form 5500 for 2021 plan year (unless automatically extended with corporate income tax return or Form 5558 filed)⁸
- Form 8955-SSA and terminated vested participant statements for 2021 plan year (unless automatically extended with corporate income tax return or Form 5558 filed)⁸
- Form 5558 to extend Forms 5500 and 8955-SSA due date by 2½ months (use a single Form 5558 to extend Forms 5500 and 8955-SSA) unless automatically extended with corporate income tax return⁸

Sept. 15 (Thursday)

- Balance of minimum contribution due for 2021 plan year
- Elect (or change standing election) to use credit balances to offset 2021 minimum required contributions
- Elect (or change standing election) to credit excess 2021 contributions to prefunding balance
- Revoke election to use credit balances in excess of 2021 minimum required contributions for small plans with year-end valuation dates

Sept. 30 (Friday)

- Last day for actuary to certify 2022 AFTAP to avoid Oct. 1 presumption that 2022 AFTAP is less than 60%

Oct. 15 (Saturday)

- Q3 contribution for 2022 plan year²
- Correct 410(b) or 401(a)(4) testing failures for 2021 plan year²
- Reinstate standing credit balance election for 2021 plan year if different actuary signing 2021 Schedule SB²
- Form 5310-A qualified separate line-of-business election for 2021 testing year (or revocation of prior-year election)²

Oct. 17 (Monday)

- Form 5500 for 2021 plan year, if due date extended by Form 5558 or corporate income tax extension⁸
- Form 8955-SSA (and participant statements) for 2021 plan year, if due date extended by Form 5558 or corporate income tax extension⁸
- PBGC comprehensive premium filing for 2022 plan year

Oct. 31 (Monday)

- Notices due for plans subject to benefit restrictions on Oct. 1 based on presumption that 2022 AFTAP is less than 60%⁷

Dec. 31 (Saturday)

- Ongoing minimum required distributions for 2022²
- Annual notice of benefit statements, if sponsor elects this option rather than providing individual triennial benefit statements^{2,9}
- Actuary's certification of 2022 AFTAP to prevent presumed AFTAP of less than 60% from applying Jan. 1, 2023 (or retroactively to Oct. 1, 2022, if range certification issued prior to Oct. 1, 2022)²
- Elect to reduce Jan. 1, 2022, credit balances²
- Revoke election to use credit balances in excess of 2022 minimum required contributions (except for small plans using year-end valuation dates)²

Notes

1. This list summarizes common reporting and disclosure obligations for single-employer, tax-qualified defined benefit plans covered by ERISA (including frozen plans, but excluding cooperative and small-employer charity plans and plans undergoing termination) that have more than 100 participants and are sponsored by for-profit corporations with calendar-year plans. Your plan may have other compliance requirements, such as reporting certain events to PBGC, reporting and paying excise taxes (Form 5330), and notifying participants when any quarterly or other required contribution is not made within 60 days of the due date. For more information, see the plan reporting and disclosure guides from the [IRS](#) and the [Department of Labor](#). When the "weekend rule" applies, deadlines falling on a Saturday, Sunday or holiday move to the next business day; otherwise, actions should be taken on the day before a weekend/holiday deadline.
2. Although this date is a Saturday, Sunday or legal holiday, no guidance clearly allows using the "weekend rule" to move the deadline to the next business day.
3. Deadline for Form 945 is extended 10 days if full payment of taxes for the year deposited on time.
4. Deadline for Form 1099-R is extended one month for electronic filers.
5. The Setting Every Community Up for Retirement Enhancement (SECURE) Act ([Div. O of Pub. L. No. 116-4](#)) changed the required beginning date triggering age from 70½ to 72, effective for participants born on or after July 1, 1949.
6. A 4010 filing is due if the sponsor's controlled group has a plan less than 80% funded, and neither the \$15 million shortfall nor small-plan waiver apply; or a plan has either missed contributions or funding waivers exceeding \$1 million that haven't been reported to PBGC. The April 15 filing deadline applies to employers with calendar fiscal years or controlled-group members with different fiscal years. Otherwise, PBGC 4010 is due on the first business day coinciding with or following the 105th day after close of the fiscal year.
7. Benefit restriction notices must be distributed to participants and beneficiaries within 30 days after an underfunded plan becomes subject to certain benefit restrictions.
8. An automatic 2½-month extension to file Form 5500 and/or Form 8955-SSA is available by filing Form 5558. Without filing Form 5558, an employer that is granted an automatic extension for its corporate tax return and has the same tax year as the plan year receives an automatic extension to file Forms 5500 and 8955-SSA by the extended filing deadline for the corporate tax return (but no later than 9½ months after plan year-end). The Form 5558 deadline for a calendar-year plan and the extended corporate tax return deadline for a calendar-year C corporation fall on the same day: Oct. 15. However, S corporations must file Form 5558 to get the maximum extension. Employers that rely on the corporate tax return's automatic extension to extend the deadline for Form 5500 and/or 8955-SSA can't obtain an additional extension by filing Form 5558.
9. The deadline to provide any individual triennial benefit statements for a plan year is unclear. Plans must provide a benefit statement every three years or an annual notice of availability of such a statement upon request.