



Diocese
of
Cleveland

Cathedral Square

Prot #004/2014 FO

EMPLOYEE BENEFITS OFFICE

To: Pastors, Administrators and Parish Life Coordinators
From:  James P. Gulick, CFO
Date:  January 9, 2014
Re: **Mandatory IRS Posting – Lay Pension Plan**

The Catholic Diocese of Cleveland Pension Plan is a church pension plan which is intended to meet the requirements under the Internal Revenue Code for a tax-qualified pension plan which enables the assets to be invested without being taxed on the investment income and provides that the participants won't be taxed on the benefits until they are received. The rules for maintaining a tax-qualified pension plan require the plan to be periodically amended to correspond with the technical revisions in the Code and regulations and requires that the plan be submitted to the IRS once every 5 years for review of the documents to be sure that it continues to meet the rules for tax-qualification. As part of the submission process the rules require the distribution of "Notice to Interested Parties" so that participants know that the Pension Plan is being submitted to the IRS for a ruling on its continued tax-qualified status. Although the Notice is a little confusing, it is the form developed by the IRS. The participant does not need to do anything. There have not been any recent changes in the formula for determining accrued benefits, generally the changes are either for purposes of clarification or technical in nature to correspond with the changes in the law.

The enclosed Notice must either be posted at every location where there are pension plan participants working or distributed to all participating employees **no later than January 13, 2014**. If you have a participating employee who is on an extended leave you should mail a copy of this Notice to that employee. **This Notice must remain posted through March 24, 2014.**

If you have any questions, please do not hesitate to contact Palmira Jurás at 216-696-6525, extension 4590.

Thank you for your cooperation.

THIS NOTICE MUST REMAIN POSTED THROUGH MARCH 24, 2014.

NOTICE TO INTERESTED PARTIES

1. Notice To: All employees of Participating Employers in The Catholic Diocese of Cleveland Pension Plan.

An application is to be made to the Internal Revenue Service for an advance determination on the qualification of the following employee pension benefit plan:

2. Name of Plan: The Catholic Diocese of Cleveland Pension Plan
3. Plan Number: 001
4. Name and Address of Applicant: The Catholic Diocese of Cleveland Group Life and Pension Office
1404 East Ninth Street
Cleveland, Ohio 44114
5. Applicant EIN: 34-0714558
6. Name and Address of Plan Administrator: The Catholic Diocese of Cleveland Group Life and Pension Office
1404 East Ninth Street
Cleveland, Ohio 44114
7. The application will be filed on January 23, 2014 for an advance determination as to whether the plan meets the qualification requirements of Section 401(a) of the Internal Revenue Code of 1986 with respect to the plan's amendment. The application will be filed with:

EP Determinations
Internal Revenue Service
201 West Rivercenter Blvd.
Attn: Extracting Stop 312
Covington, KY 41011
8. The employees eligible to participate under the plan are all Covered Employees. Generally a Covered Employee is any employee for any period during which:
 - (a) he is classified as a lay employee of a Participating Employer;
 - (b) with respect to an employee whose most recent date of hire is prior to July 1, 2004, his customary employment is:

- (i) twenty-five (25) hours or more in any one (1) week; or
 - (ii) fifteen (15) classroom hours or more in any one (1) week if such employee is a teacher; and
- (c) with respect to an employee whose most recent date of hire is after June 30, 2004, his customary employment is:
- (i) thirty-five (35) hours or more in any one (1) week; or
 - (ii) twenty (20) classroom hours or more in any one (1) week if such employee is a teacher;

provided, however, that an employee is not a Covered Employee for any period during which:

- (d) he is eligible to participate in any other defined benefit pension plan maintained by his Participating Employer;
 - (e) he is covered by a written agreement which precludes him from participating in this Plan;
 - (f) he receives his compensation from a leasing organization, regardless of his status as may be determined otherwise by the Commissioner of the Internal Revenue Service or other government entity or any court or tribunal; or
 - (g) he is hired as a temporary employee for a period of less than six (6) months.
9. The Internal Revenue Service has previously issued a determination letter with respect to the qualification of the plan.

RIGHTS OF INTERESTED PARTIES

10. You have the right to submit to EP Determinations, either individually or jointly with other interested parties, your comments as to whether the plan meets the qualification requirements of the Internal Revenue Code. Your comments to EP Determinations may be submitted to:

Internal Revenue Service
EP Determinations
Attn: Customer Service Manager
P.O. Box 2508
Cincinnati, OH 45202

You may instead, individually or jointly with other interested parties, request the Department of Labor to submit, on your behalf, comments to EP Determinations regarding qualification of the plan. If the Department declines to comment on all or some of the matters you raise, you may, individually, or jointly if your request was made to the

Department jointly, submit your comments on these matters directly to EP Determinations at the Cincinnati address above.

REQUESTS FOR COMMENTS BY THE DEPARTMENT OF LABOR

11. The Department of Labor may not comment on behalf of interested parties unless requested to do so by the lesser of 10 employees or 10% of the employees who qualify as interested parties. The number of persons needed for the Department to comment with respect to the plan is 10. If you request the Department to comment, your request must be in writing and must specify the matters upon which comments are requested, and must also include:

- (1) the information contained in Items 2 through 5 of this Notice; and
- (2) the number of persons needed for the Department to comment.

A request to the Department to comment should be addressed as follows:

Deputy Assistant Secretary
Employee Benefits Security Administration
ATTN: 3001 Comment Request
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

COMMENTS TO THE INTERNAL REVENUE SERVICE

12. Comments submitted by you to EP Determinations must be in writing and received by them by March 9, 2014. However, if there are matters that you request the Department of Labor to comment upon on your behalf, and the Department declines, you may submit comments on these matters to EP Determinations to be received by them within 15 days from the time the Department notifies you that it will not comment on a particular matter, or by March 9, 2014, whichever is later, but not after March 24, 2014. A request to the Department to comment on your behalf must be received by it by February 7, 2014 if you wish to preserve your right to comment on a matter upon which the Department declines to comment, or by February 17, 2014 if you wish to waive that right.

ADDITIONAL INFORMATION

13. Detailed instructions regarding the requirements for notification of interested parties may be found in Sections 17 and 18 of Revenue Procedure 2013-6, as modified by IRS Announcement 2013-13. Additional information concerning this application including, where applicable, updated copies of the plan and related trust, the application for determination, any additional documents dealing with the application that have been submitted to the Internal Revenue Service, and copies of Section 17 of Revenue Procedure 2013-6, are available from Palmira Juras at the Group Life and Pension Office of The Catholic Diocese of Cleveland, 1404 East Ninth Street, Cleveland, Ohio 44114 during normal business hours for inspection and copying. (There is a nominal charge for copying and/or mailing.)