

**Argonne National Laboratory Prime Contract****Appendix A: Personnel Appendix**

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*Last revised: September 29, 1999*

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**VII. DOE CONTRACTOR PENSION PLANS****A. Basic Requirements**

Each pension plan covering Laboratory employees shall be a separate pension plan.

**B. DOE Approval Requirements**

DOE approval is required if the Laboratory proposes to change pension eligibility requirements or to institute a defined benefit retirement plan to replace, or act as a supplement to, the ANL defined contribution retirement plan.

For DOE funded commingled pension plans, the Laboratory shall maintain and provide separate annual accounting of DOE liabilities and assets as for a separate plan and the Laboratory agrees that it shall be liable for any shortfalls in plan assets caused by funding or events unrelated to DOE contracts.

When DOE approval is required, plan changes will be evaluated by DOE, based on the merits of each benefit or proposed change, including the following:

Total compensation.

Pension benefit surveys published by the Bureau of Labor Statistics.

Retirement studies published by consulting firms, educational institutions, or policy groups.

Software models developed by qualified actuaries.

**C. Termination Of Operations**

Should operations at the Laboratory be terminated, DOE and the Contractor shall establish an effective date for spin off or plan termination and no further work will occur under the prime contract. The Contractor agrees that no further contributions shall be made after this established date.

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#### **D. Spin-Off Plan**

The Contractor agrees that it will work with DOE and a new Contractor to establish an effective date of spin-off.

#### **E. Terminating Plans**

The Contractor agrees that it shall not terminate any pension plan (commingled or site-specific) without notifying the Department at least 60 days prior to the scheduled date of plan termination.

#### **F. Annual Reports**

The Laboratory shall submit the following reports annually:

Forms 5500.

Copies of IRS Forms 5500 with Schedules for each DOE-funded pension plan.

Forms 5300.

Copies of all forms in the 5300 series submitted to the IRS that document the establishment, amendment, termination, spin-off, or merger of a plan.