AI-01989 401K Withdrawal at 60 While Working

Owner	Ⓡ Rigel Arcayan
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I'm still working at my company with 401k Traditional and I am 60 already a year ago, can I withdraw money from my 401k without the 10% penalty

Yes, if you are 60 years old, you can generally withdraw money from your 401(k) without incurring the 10% early withdrawal penalty, even if you are still working at the company that sponsors the plan.

Here's a breakdown of the key points:

- **Age-Based Exception:** The IRS allows for penalty-free withdrawals from a 401(k) once the account holder reaches the age of 59 1/2.1 Since you are 60, you have met this requirement.
- **"In-Service" Withdrawals:** While some plans may have restrictions, many 401(k) plans allow for "in-service" distributions after a certain age (often 59 1/2), meaning you can take withdrawals while still employed with the company. You should check with your plan administrator to confirm if your specific plan allows this.
- **Taxes Still Apply:** It's important to remember that while you can avoid the 10% penalty, the withdrawals from your traditional 401(k) are still subject to regular income tax.2 This is because traditional 401(k) contributions are made with pre-tax money.3 The amount you withdraw will be added to your taxable income for the year, which could potentially push you into a higher tax bracket.4
- **Required Minimum Distributions (RMDs):** At age 60, you are not yet at the age for Required Minimum Distributions (RMDs). For most people, RMDs don't

begin until age 73 (or 75 for those born in 1960 or later).5 However, since you are still working, you may be able to delay RMDs from your current employer's plan until after you retire, as long as you are not a 5% owner of the company.6

- **The "Rule of 55":** This rule is a separate exception that allows for penalty-free withdrawals if you leave your job (whether you quit, are laid off, or fired) in or after the calendar year you turn 55.7 This rule only applies to the 401(k) from the employer you just left and not to plans from previous employers or IRAs.8 Since you are 60, the age 59 1/2 rule is the more direct and applicable exception.

Withdrawing money from your 401(k) while you are still employed and over age 59 1/2 is typically a straightforward process, but it's crucial to follow the specific procedures of your plan to ensure a smooth withdrawal and proper tax treatment.

Here is a general outline of the steps you'll likely need to take:

1. Confirm Your Plan's Rules

This is the most important first step. While the IRS allows for penalty-free withdrawals after age 59 1/2, not all employer-sponsored plans permit "in-service" distributions.

- **Review your Summary Plan Description (SPD):** This document, provided by your employer, outlines the specific rules of your 401(k) plan.1 It will detail whether in-service withdrawals are allowed, any age or service requirements, and the types of contributions you can withdraw (e.g., employee contributions, employer match, etc.).
- **Contact your plan administrator:** This is the company that manages your 401(k) (e.g., Fidelity, Vanguard, Principal, etc.). You can contact them directly or through your company's HR or benefits department. They can confirm your eligibility and walk you through the process.2

2. Initiate the Withdrawal Request

The process is typically done online or by submitting a form.3

- **Log in to your account:** Go to the website of your 401(k) provider. Your account dashboard should have a section for "withdrawals" or "distributions."

- **Fill out the necessary forms:** You'll likely need to complete a withdrawal or distribution form.4 This form will ask for:
  - **The reason for the withdrawal:** You will specify that it is an "age-based" or "in-service" distribution.
  - **The amount you want to withdraw:** You can often take out your entire vested balance or a partial amount.5
  - **How you want the funds distributed:** You can choose to have the money sent to you directly (as a check or direct deposit) or rolled over to an IRA or another qualified retirement plan.6

3. Consider Your Tax Withholding Options

When you take a direct withdrawal, the money is considered taxable income.7

- **Mandatory Federal Tax Withholding:** Your plan provider is typically required to withhold 20% of the distribution for federal income tax.8 You will receive the remaining 80%.
- **State Taxes:** Depending on your state, additional state taxes may be withheld.9
- **Elect a higher withholding (optional):** You can choose to have more than the minimum 20% withheld to cover your potential tax liability and avoid owing a large tax bill at the end of the year.10

4. Spousal Consent (If Applicable)

Some plans may require your spouse's consent for a withdrawal, even if you are over 59 1/2.11 This is often a measure to protect the spouse's interest in the retirement funds. The plan administrator will inform you if spousal consent is required and provide the necessary forms, which may need to be notarized.

5. Finalize the Request

After you have submitted the forms, the plan administrator will review them to ensure everything is in order. Once approved, the funds will be disbursed to you according to your chosen method (direct deposit or check).

Important Considerations:

- **Tax Implications:** The withdrawal will be added to your taxable income for the year, which could increase your tax bracket.[12] It's highly recommended to consult a tax advisor to understand the full impact on your financial situation.
- **Impact on Future Retirement Savings:** Withdrawing money now means that those funds will no longer be growing for your future. Before taking a distribution, you should consider the long-term effect on your retirement goals.
- **Direct Rollover to an IRA:** If your goal is to have access to the money but you don't need it right away, you might consider rolling the funds over to an IRA.[13] This gives you more control and investment options without triggering a taxable event. You can then take distributions from the IRA as needed.