



Harter Secret & Emery LLP

ATTORNEYS AND COUNSELORS

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2520121210220

February 29, 2012

VIA: CERTIFIED MAIL, RETURN RECEIPT REQUESTED

U.S. Department of Labor
Employee Benefits Security Administration
Top Hat Plan Exemption
200 Constitution Avenue, N.W., N-1513
Washington, D.C. 20210

Re: ESL Federal Credit Union
Top Hat Plan Exemption

Dear Sir or Madam:

On behalf of ESL Federal Credit Union, we are filing this statement pursuant to the provisions of the Department of Labor Regulations at 29 C.F.R. § 2520.104-23(b) to notify you that ESL Federal Credit Union maintains two plans primarily for the purpose of providing deferred compensation to a select group of management or highly compensated employees. With respect to the ESL Federal Credit Union Section 457 Eligible Deferred Compensation Plan, listed below, a simultaneous filing has been made under the Delinquent Filer Voluntary Correction Program. A top hat plan exemption filing was timely made with respect to the ESL Federal Credit Union Supplemental Executive Retirement Plan. The approximate number of participants in each plan and the participating companies in each plan as of the date of this letter are set forth below.

1. Employer: ESL Federal Credit Union
225 Chestnut Street
Rochester, New York 14604-2424
2. Employer EIN: 16-1490324
3. ESL Federal Credit Union maintains the following plans for a select group of management or highly compensated employees:
 - (i) Name of Plan: ESL Federal Credit Union Section 457 Eligible Deferred Compensation Plan
 - Number of Participants: 14
 - Participating Companies: ESL Federal Credit Union

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- (ii) Name of Plan: ESL Federal Credit Union Supplemental Executive Retirement Plan
Number of Participants: 5
Participating Companies: ESL Federal Credit Union

Upon request, ESL Federal Credit Union will provide a copy of the relevant plan document(s). Please acknowledge your receipt of this statement by time-stamping the enclosed copy of this letter and returning it to us in the envelope provided.

Please contact me if you require additional information.

Very truly yours,

Harter Secrest & Emery LLP



Jesse A.A. St.Cyr

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