

responsive



EMPLOYEE
BENEFITS



responsive

They are often very proactive in making clients aware of changes in the law that might impact our businesses.

They have become my go-to benefits counsel.

Client Feedback
Chambers USA

Employee benefits and executive compensation plans are critical to maintaining continuity in your workforce and retaining key employees. Despite constant fluctuations in tax laws, the Employee Retirement Income Security Act (ERISA) and other regulations, the technical expertise required to maintain these programs, and market conditions, these plans must work.

Epstein Becker Green advises on every aspect of employee benefits law, including the design, structure, implementation, administration, and termination of all types of retirement, executive compensation, and welfare benefit plans. We collaborate with human resources departments, in-house counsel, and other benefits professionals to achieve sound, cost-effective results through a responsive approach that puts your business goals first. And when legal disputes or government actions arise, our litigators can resolve the matter quickly and efficiently so that you can get back to business.

Our employee benefits lawyers provide outstanding support to clients on current issues as they arise and stay ahead of the curve on a variety of significant issues.

RETIREMENT AND HEALTH AND WELFARE PLANS

Our lawyers design and operate every type of retirement plan for our clients. We provide full operational support and work to ensure that your plans stay in compliance with ERISA statutory requirements, the Internal Revenue Code (IRC), and other federal and state requirements. And when changes

occur—to regulations, to your business, to your workforce—our lawyers provide guidance every step of the way. Like retirement plans, health and welfare plans require compliance with regulations and statutory schemes, including the Consolidated Omnibus Budget Reconciliation Act (COBRA) and Health Insurance Portability and Accountability Act (HIPAA). Our team counsels clients on cafeteria, dependent care, disability, flexible benefit, group-term life, medical and dental, medical reimbursement, retiree benefits, and severance plans. We also advise on the complex administrative contracts associated with these plans.

EXECUTIVE COMPENSATION

Executive compensation is critical to attracting and retaining key employees. But regulatory reforms on the horizon could have a considerable impact on the executive compensation landscape. From building incentive programs and compensation arrangements to negotiating and drafting agreements to critically examining plans for risk, we design and maintain executive compensation programs that are tailored to your needs and compliant with regulatory changes.

ERISA

Being an ERISA fiduciary is a huge responsibility fraught with risks. Accordingly, we guide employers, investment managers and advisors, trustees, and other plan service providers through ERISA's fiduciary provisions and applicable Department of Labor regulations.

When the threat of ERISA litigation arises, our team gives practical advice to resolve disputes as quickly and efficiently as possible. With extensive trial and appellate court experience, our litigators understand the complexities of benefit plan administration and the real-world implications. Our team includes lawyers who prosecuted

ERISA enforcement actions while at the Office of the Solicitor of Labor, as well as former U.S. Attorney prosecutors.

MULTIEMPLOYER PLANS

Unionized employers face unique challenges in their participation in union-sponsored multiemployer defined benefit pension plans (typically referred to as "Taft-Hartley plans"), multiemployer health and welfare plans, and corresponding collective bargaining agreements. We have worked with multiemployer plans since the enactment of ERISA and understand the obligations and potential legal and financial risks. Accordingly, we are able to guide our clients in all aspects of their participation in these plans.

Epstein Becker & Green are very good at day-to-day ERISA issues.

Client Feedback

U.S. News - Best Lawyers "Best Law Firms"

what they're saying

Ranked nationally in
Employee Benefits (ERISA) Law
U.S. News - Best Lawyers "Best Law Firms"

Recommended in Employee Benefits
and Executive Compensation
The Legal 500 United States

Ranked in Employee Benefits & Executive
Compensation in New Jersey
Chambers USA

challenge, meet experience

Challenge

The Internal Revenue Service, Department of Labor, and Pension Benefit Guaranty Corporation have stepped up scrutiny of benefit plans and their sponsors.

Rules and regulations for plan design, funding, and compensation are constantly changing, making it harder to stay in compliance.

ERISA standards of conduct are high for benefit plan fiduciaries—and so are the penalties for breaches.

IRC Section 409A has made designing nonqualified deferred compensation arrangements much more complex.

Group health plan sponsors are faced with significant changes to the provision of health benefits due to a congressional push to overhaul the Affordable Care Act.

Our Experience

We help clients avoid agency actions through document reviews, self-audits, and other customized compliance programs.

We keep in constant contact with our clients, interpreting regulatory shifts and delivering practical, easy-to-understand solutions.

We help clients establish governance best practices, conduct training, and advise on fiduciary responsibilities.

We advise employers and executives on the design of Section 409A-compliant arrangements with an efficiency built on experience.

Our health care and employee benefits teams work together to review health benefit arrangements and keep our clients in compliance.

