

## ERISA, Employee Benefits and Compensation

Trenam's Employee Benefits and Compensation Group has substantial experience with a wide variety of employee benefit plans and compensation programs.

The employee benefit practice includes design, implementation and administration of health and welfare plans. Attorneys in the group assist clients in the preparation of plan documents and summary plan descriptions, and advise clients regarding compliance with HIPAA, COBRA, and other laws affecting health plans and their administration. Our attorneys also regularly work with clients to establish and maintain other welfare benefit plans, such as disability, accidental death, life insurance plans, cafeteria plans, and voluntary employee beneficiary associations. The practice also encompasses the design, implementation, administration and termination of tax-qualified retirement plans, such as pension, profit sharing, stock bonus, and 401(k) plans, as well as Employee Stock Ownership Plans, or ESOPs (including leveraged ESOPs).

Attorneys practicing in the employee benefits area keep abreast of, and advise clients concerning, continually changing laws, regulations and legal interpretations, as well as fiduciary, reporting and disclosure requirements under the Employee Retirement Income Security Act of 1974, as amended (ERISA), and are able to help in monitoring plans for compliance with those requirements. We assist clients in working with governmental agencies concerning benefit matters, including the Internal Revenue Service, the Department of Labor, the Pension Benefit Guaranty Corporation and the Securities and Exchange Commission.

The Employee Benefits and Compensation Group supports the broader business transactions group by providing legal advice and assistance on the employee benefits issues involved in corporate business transactions, such as corporate borrowings, leveraged buy-outs, tender offers, sales of assets, mergers, spin-offs, liquidations and other corporate reorganizations. The firm can also assist clients in the establishment of non-qualified executive and incentive compensation plans, such as stock option, employee stock purchase, phantom and performance share plans and other equity-based compensation arrangements and long term incentive plans (LTIPs), deferred compensation, supplemental executive retirement plans (SERPs) and excess benefit plans (together with "rabbi trusts") and special welfare plans such as severance pay plans.

### **Practice areas include:**

- Health and Welfare Plans
- COBRA Planning
- Executive Compensation and Deferred Compensation
- Benefits Dispute Resolution
- Qualified Plans