



Employee Benefits & Compensation Planning

Overview

- Attorneys in 6 offices
- Handled qualification for over 500 retirement plans
- Qualified plans for professional service corps under ERISA

Pension and welfare benefits and executive compensation programs play an increasingly important role in recruiting and retaining the talents that are essential to any successful business. At Fox Rothschild, we have extensive experience in designing and implementing fringe benefit programs that serve the needs of individuals, employers, and employees. Our multidisciplinary team draws upon the resources of attorneys throughout the firm in estate planning, labor and employment, litigation, individual and corporate taxation, and corporate law to formulate comprehensive solutions and strategies.

Recent Matters

- represented a large national manufacturing company in a successful appeal before the U.S. Court of Appeals for the Third Circuit, where former employees brought a suit for the recovery of pension benefits and breach of fiduciary duty
- achieved a favorable decision in an ERISA case for a health insurance company, which was the insurer of the plaintiff's group health insurance as well as administrator of the plan; the first time the court had encountered a case involving the potential conflict of interest
- successfully represented a manufacturer in an ERISA class action lawsuit in which former employees alleged that they were eligible for full early retirement benefits based on oral discussions with the company. The court found that oral statements to the plaintiffs do not form the basis for a claim under ERISA.
- implemented new retirement and benefit plans and restructured the existing retirement plan for one of the Delaware Valley's largest specialty hospitals
- developed a non-qualified deferred compensation plan for executives of the Pennsylvania Convention Center Authority

Services

- profit Sharing, 401(k) & defined contribution pension plans
- traditional defined benefit, cash balance and other "hybrid" plans
- employee stock ownership plans
- participant communications
- retirement benefit distribution planning
- plan mergers, standard and distress plan terminations, cessation of benefit accruals
- health and welfare plans

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"Employers & individuals require timely, pragmatic advice to guide them through the legal maze of highly regulated benefits. Day-to-day counsel on benefits administration & compliance is our hallmark."

Susan Foreman Jordan

Chair of the Employee Benefits Practice



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Services *(continued)*

- transportation fringe benefit plans
- educational assistance programs
- MPPAA withdrawal liability claims
- non-qualified deferred compensation plans and rabbi-type trusts
- executive compensation
- COBRA compliance
- IRS and Department of Labor audits
- ERISA litigation
- IRS voluntary correction program
- regulatory compliance

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