Hanson Bridgett Practice Group Employee Benefits

Employee benefits and compensation issues can be complicated and costly for employers. Our Employee Benefits Group handles all types of qualified retirement plans, employee benefits issues that arise in business transactions, executive and equity compensation issues, fiduciary responsibility and welfare plan issues. The Employee Benefits Group relies on its relationship with clients and its depth and diversity of experience to work closely with our clients to develop creative and practical solutions.

Resources of the Firm

In advising our clients, the Employee Benefits Group draws on attorneys from other disciplines within the firm relevant to benefit matters, including tax counsel and corporate counsel. Thus, we offer the broad spectrum of legal experience essential to proper representation in employee benefits matters.

Areas of Expertise

Our Group advises clients on the laws governing retirement and welfare benefits and executive compensation, including ERISA, tax, labor and securities laws. We are conversant with all aspects of the design and administration of retirement plans (including 401(k)s and ESOPs), executive compensation, cafeteria plans, health benefit plans (including cost containment issues), employment agreements, early retirement incentive programs, change-in-control counseling, and the legal aspects of investment of plan assets.

HansonBridgett

We offer our clients full coverage in the employee benefits and executive compensation specialties, including:

Retirement Plans
This area includes 401(k) plans, pension plans, profit-sharing plans, 403(b) plans and other funded retirement plans, including religious and governmental plans. We advise on the design issues for plans, draft the plan documents, assist with contracts with investment managers and service providers, consult on plan administration and nondiscrimination testing, obtain determination letters from the Internal Revenue Service, monitor changing laws and regulations and assist with qualified domestic relations orders (QDROs).

Fiduciary Responsibility and Liability
We counsel clients on the responsibility and liability associated with their roles as fiduciaries with respect to employee benefit plans. We provide counseling regarding prohibited transactions, fiduciary training, procedures for decision-making and investment policies.

M&A and Restructuring Transactions
In mergers, sales or acquisitions of businesses, we offer "diligence" review of employee benefit matters and participation in negotiating and drafting the agreement between the parties. We advise our clients throughout the transition period associated with any merger, sale or acquisition.

Executive and Equity Compensation
We advise clients in matters involving various compensation programs, including stock option, stock purchase and phantom stock plans, other equity incentive programs, deferred compensation arrangements, supplemental retirement and excess benefit plans, plans for outside directors and other prerequisites. We prepare employment agreements, severance agreements and assist in establishing trusts used to fund payments under any such agreement. We also advise clients regarding change in control issues involving golden parachutes.

Welfare Plans
We assist clients with health care plans, group insurance (such as life and disability insurance plans), "cafeteria plans," severance pay plans, post-retirement insurance programs, and the mechanisms for funding any of these plans. We also advise clients on compliance with the health care coverage continuation requirements of COBRA, the Family and Medical Leave Act ("FMLA") and the Health Insurance Portability and Accountability Act ("HIPAA").

Healthcare
We advise clients on preferred-provider organizations (PPOs), employer-sponsored provider networks, managed-care arrangements and other responses to rising health care costs.

Tax and Estate Planning
In conjunction with our Estate Planning and Tax Groups, we advise individuals on how to deal with beneficiary designations, benefit distributions, IRA rollovers, income and estate tax elections, and the related planning opportunities.

Benefit Claims and Litigation
We have diverse experience in advising clients regarding claims made against employee benefit plans. We also offer litigation and arbitration experience in matters involving disputes of claims and fiduciary liability.