



## Elizabeth J. Masson

Partner

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### Firm Leadership

Pro Bono Committee, Member  
Women's Impact Network, Member

### Areas of Focus

- Employee Benefits
- Employee Benefits Litigation



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Liz focuses her practice on employee benefits law. She represents public and private employee benefit plan sponsors and fiduciaries in all aspects of compliance with the Internal Revenue Code, the Employee Retirement Income Security Act, the Affordable Care Act, COBRA, HIPAA, and various federal and state labor and employment laws.

She advises governmental and private employers on a variety of legal issues related to fiduciary duty rules; tax qualification requirements; plan documents, restatements and amendments; tax reporting; negotiating and contracting with third-party service providers; and participant communications.

Liz has extensive experience working with governmental and private employers, including public sector retirement systems and active employee and retiree health plan sponsors in all areas of plan design, tax qualification, and administration. She also has experience advising multiemployer plans and contributing employers, and other collectively bargained plan sponsors.

Before joining a law firm, Liz served as a law clerk for the National Labor Relations Board's Division of Judges, and as a legal extern with Region 20 of the National Labor Relations Board.

### Publications

"Affordable Care Act Reporting Changes – Some Good News for Employers," co-author, Employee Benefits Legal Alert (January 2025)

“IRS Issues Guidance on Required Inclusion of Long-Term, Part-Time Employees in 401(k) Plans, Including Application to Governmental Plans,” co-author, *Employee Benefits Legal Alert* (January 2024)

“IRS Lowers ACA Affordability Percentage for 2024,” co-author, *Employee Benefits Legal Alert* (October 2023)

“Health Plans Must Prepare for the End of COVID-19 Public Health and National Emergencies,” co-author, *Employee Benefits Legal Alert* (April 2023)

“District Court Issues Ruling in Lawsuit Challenging Application of California Pension Reform to Transit Agencies,” *Employee Benefits Legal Alert* (January 2023)

“Final IRS Regulations Provide Permanent Automatic Extensions for ACA Reporting,” *Employee Benefits Law Alert* (December 2022)

“Worth the Wait? CalPERS Regulation Will Define “Limited Duration” for Rehired Retirees,” *Employee Benefits Law Alert* (December 2022)

“Form W-2 Reporting Requirement for COVID-Related Paid Leave Could Apply to Governmental Employers This Year,” *Employee Benefits Law Alert* (January 2022)

“Changes to Employer Health Coverage Reporting Under the ACA” *Employee Benefits Law Alert* (January 2022)

“New Law Shifts Liability for Certain CalPERS Benefit Overpayments to Employers,” *Employee Benefits Law Alert* (November 2021)

“IRS Issues Last-Minute Guidance on Deferral of Employees’ Social Security Withholding,” *Employee Benefits Law Alert* (August 2020)

“California Supreme Court Upholds Pension Reform Changes As Constitutional,” *Employee Benefits Law Alert* (July 2020)

“IRS Provides Rules for W-2 Reporting of COVID Paid Leaves,” co-author, *Employee Benefits Law Alert* (July 2020)

“DOL Issues New Proposed Fiduciary Rule,” *Employee Benefits Law Alert* (July 2020)

“IRS Issues Guidance on 2020 Waiver of Required Minimum Distributions,” co-author, *Employee Benefits Law Alert* (July 2020)

“IRS Issues Guidance on COVID-19 Leave-Based Donation Programs,” co-author, *Employee Benefits Law Alert* (July 2020)

“IRS Issues CARES Act Guidance for Retirement Plans,” *Employee Benefits Law Alert* (June 2020)

“Email Option Added to Final Electronic Disclosure Rule for Retirement Plans,” *Employee Benefits Law Alert* (May 2020)

“IRS Issues Cafeteria Plan Relief to Address COVID-19 Pandemic,” *Employee Benefits Law Alert* (May 2020)

“Employee Benefit Plan Deadlines Extended Due to COVID-19,” *Employee Benefits Law Alert* (May 2020)

“Relief for Employee Benefit Plan Fiduciaries Due to COVID-19,” *Employee Benefits Law Alert* (May 2020)

“Local Governments Can Use the CARES Act to Help Employees Affected by COVID-19,” *American City & Counsel* (May 2020)

“COVID-19 Related Employee Benefits Issues for Governmental Employers,” co-author, *Employee Benefits Law Alert* (April 2020)

“COVID-19 Emergency Paid Leave and Other Leave-Related Benefits,” co-author, *Employee Benefits Law Alert* (April 2020)

“UPDATED: IRS and DOL Issue COVID-19 Related Tax Credit Guidance,” co-author, *Employee Benefits Law Alert* (April 2020)

“IRS Form Released for Advance Payments of COVID-19 Payroll Tax Credits,” co-author, *Employee Benefits Law Alert* (April 2020)

“COVID-19: Top Ten Issues for Employers Considering Layoffs, Furloughs or Reduction in Hours,” co-author, *Labor & Employment Law Alert* (April 2020)

“Additional Payroll Tax Credits for Small and Large Employers Under the CARES Act,” co-author, *Employee Benefits Law Alert* (March 2020)

“Group Health Plan and Cafeteria Plan Issues Related to COVID-19,” co-author, *Employee Benefits Law Alert* (March 2020)

“CARES Act – Important Changes to 401k or other Retirement Plans,” co-author, *Employee Benefits Law Alert* (March 2020)

“IRS and DOL Issue COVID-19 Related Tax Credit Guidance,” co-author, *Employee Benefits Law Alert* (March 2020)

“Employee Benefits Questions and Answers Related to COVID-19,” co-author, *Employee Benefits Law Alert* (March 2020)

“Ignorance Is Bliss (If You Are an ERISA Plaintiff),” co-author, *Employee Benefits Law Alert* (February 2020)

“Retirement Plan Changes and ‘Cadillac Tax’ Repeal Included in Domestic Appropriations Package,” co-author, *Employee Benefits Law Alert* (December 2019)

“California Individual Mandate for Health Coverage Takes Effect in 2020,” co-author, *Employee Benefits Law Alert* (December 2019)

“IRS Extends Deadline for Providing Health Coverage Forms to Employees Under the ACA, but Not the IRS Filing Deadline,” *Employee Benefits Law Alert* (December 2019)

“‘Text Me?’ Proposed Electronic Disclosure Rule Would Allow Greater Flexibility for Retirement Plans,” co-author, *Employee Benefits Law Alert* (November 2019)

“CalSavers State-Sponsored Retirement Plan Has Officially Launched,” co-author, *Employee Benefits Law Alert* (September 2019)

“Employers May Offer Two New Types of Health Reimbursement Arrangements in 2020,” co-author, *Employee Benefits Law Alert* (July 2019)

“Ninth Circuit Rules ERISA Pension Plan Must Pay Survivor Benefits to Registered Domestic Partner,” *Employee Benefits Law Alert* (June 2019)

“New IRS Rules Allow Retirement Plan Sponsors to Self-Correct Broader Range of Plan Failures,” co-author, *Employee Benefits Law Alert* (May 2019)

“IRS Issues Proposed Regulations to Relax 401(k) Plan Hardship Distribution Rules,” co-author, *Employee Benefits Law Alert* (December 2018)

“IRS Extends Deadline for Providing Health Coverage Forms to Employees under the ACA, But Not the IRS Filing Deadline,” co-author, *Employee Benefits Law Alert* (December 2018)

“Buy Me Some Peanuts and Crackerjacks? IRS Provides Guidance on Tax Deductions for Business Meals Provided with Entertainment,” co-author, *Employee Benefits Law Alert* (October 2018)

“Health & Welfare Benefits, Checklist - Association Health Plan Compliance for Employers,” *Bloomberg Law* (September 2018)

“ACA: 4 Things Employers Should Focus on This Fall,” *BenefitsPRO* (August 2018)

“Lessons for Defined Contribution Plan Fiduciaries from Current Litigation,” *Employee Benefits Law Alert* (July 2018)

“Three Things about the Affordable Care Act Employers Need to Focus on Now,” co-author, *Employee Benefits Law Alert* (July 2018)

“DOL Finalizes Rules to Expand Access to Health Plans for Small Businesses,” *Employee Benefits Law Alert* (June 2018)

“New ERISA Disability Benefit Claims and Appeals Rules Take Effect April 2, 2018,” co-author, *Employee Benefits Law Alert* (March 2018)

“IRS Extends Deadline for Providing Health Coverage Forms to Employees, But Not the IRS Filing Deadline,” co-author, *Employee Benefits Law Alert* (January 2018)

“New Rules Would Expand Access to Association Health Plans for Small Businesses,” co-author, *Employee Benefits Law Alert* (January 2018)

“IRS Issues 401(k) Safe Harbor Hardship Distribution Substantiation Guidelines,” co-author, *Employee Benefits Law Alert* (March 2017)

“IRS Issues Updated ACA Guidance and Extends Deadline for Providing 1095-C Forms to Employees,” co-author, *Employee Benefits Law Alert* (January 2017)

“Is the ACA Dead Yet? Not So Fast,” co-author, *Employee Benefits Law Alert* (November 2016)

“New ACA Rules for HRAs, Flex Credits and Opt-Out Payments,” co-author, *Employee Benefits Law Alert* (September 2016)

“IRS Raises Stakes: New Trade Law Increases Penalties Applicable to Affordable Care Act Reporting Requirements,” *Employee Benefits Law Alert* (August 2015)

“Chapter 14: Liability Issues Unique to Welfare Plans,” Chapter Editor, *Employee Benefits Law* (2nd and 3rd eds.)

“Chapter 8: Regulation of Employee Health Care Benefit Plans,” Chapter Editor, *Employee Benefits Law* (3rd ed.)

“Chapter 7: Tax Treatment of Welfare Benefit Plans,” Chapter Editor, *Employee Benefits Law* (3rd ed.)

“Chapter 4: Reporting and Disclosure,” contributing author, *Employee Benefits Law* (2nd ed.)

## **Presentations**

Hanson Bridgett 2024 Annual Employee Benefits Update (February 2024)

“Federal Regulations of Health Plans,” panelist, American Bar Association ERISA Basics National Institute 2023

“ERISA Plan Fiduciaries,” 2021 Employee Benefits Plan Fiduciaries Training (May 2021)

“Public Sector Plan Fiduciaries: 2021 Update,” 2021 Employee Benefits Plan Fiduciaries Training (May 2021)

Presenter, Hanson Bridgett 2021 Annual Employee Benefits Update (February 2021)

“Legislative and Regulatory Update,” presenter, Western Pension & Benefits Council SF Chapter (February 2019)

“Legislative and Regulatory Update,” co-speaker, International Foundation of Employee Benefit Plans (IF) Annual Conference (October 2017)

“Health Plan Affinity Group: Health Care — Where Do We Go From Here?,” speaker/moderator, National Association of Public Pension Attorneys 2017 Legal Education Conference (June 2017)

“Employee Benefits Update,” co-speaker, Hanson Bridgett Employee Benefits Webinar (February 2017))

“Regulatory Potpourri - What current legal, regulatory and legislative issues are relevant to the success of our plans?,” co-speaker, NAGDCA Annual Conference (September 2016)

“Experts’ Guide to Employee Benefits Research,” co-speaker, American Bar Association (November 2015)

“Affordable Care Act Compliance in 2015 and Other Updates in Employee Benefits,” co-presenter, Hanson Bridgett Labor & Employment Seminar (January 2015)

“Health Care Reform Implementation for Small Employers,” The Bar Association of San Francisco (September 2014)

“Wellness Programs, Final Regulations,” co-presenter, Employee Benefits Committee of the ABA Section of Labor and Employment Law, Midwinter Meeting (February 2014)

“IRS and DOL Reporting Requirements,” panelist, Employee Benefits Committee of the ABA Section of the Labor and Employment Law, Midwinter Meeting (February 2009)

“The New COBRA Requirements: A Management, Union, and Plaintiff Perspective on What Has Happened and What To Do About It,” panelist, The Labor and Employment Law Section of The Bar Association of San Francisco (March 2009)

## **Press**

“With Coronavirus Cancellations, Workers Worry About Use-it-or-Lose-it FSA Money,” *San Francisco Chronicle* (April 2020)

“Everything You Need to Know About the New 401(k) No-Penalty Withdrawals in the CARES Act,” *Fortune* (April 2020)

## **Professional Affiliations**

Western Pension and Benefits Council

International Foundation of Employee Benefit Plans

ABA Employee Benefits Committee, Labor and Employment Section

Bar Association of San Francisco, Labor and Employment Section

State Bar of California, Labor and Employment Section

UC Hastings College of the Law Alumni Association

## **Education**

J.D., UC Law San Francisco (Formerly UC Hastings) (2005)

B.A., University of Colorado, Boulder (1986)

## **Admissions and Courts**

California

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Northern District of California

U.S. District Court for the Eastern District of California