

Employee Benefits/ERISA & Compliance

Clark Hill's Employee Benefits team provides advice and solutions that cut through the complex challenges associated with employee benefits matters. Our experience in resolving complicated benefits matters is proven; we know the ropes in every area of benefits law. Our attorneys consistently deliver solutions that are practical for rates that are competitive and, most importantly, predictable.

Our benefits practice combines a deep bench of knowledge and decades of experience in ERISA and state employee benefits law. We blend our multi-dimensional understanding of plan design and administration, multiemployer arrangements, benefit claims, and fiduciary duties with the firm's honed skills in labor and employment, tax, trusts, insurance, litigation, and appellate law to deliver an integrated approach to serving clients.

Our benefits team advises on plan design and administration, including qualified retirement, pension, welfare, and fringe benefit plans. We guide employers through litigation, resolving serious claims on medical and disability benefits, and through ERISA reporting and disclosure, multiemployer plan contributions withdrawal liability issues, and Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and Health Insurance Portability and Accountability Act (HIPAA) issues. We also advise on the pension and benefit plan issues that permeate mergers and acquisitions and all other types of commercial transactions. Notably, we deliver substantial experience and skill in dealing with the Internal Revenue Service (IRS), the U.S. Department of Labor (DOL), and the Pension Benefit Guaranty Corporation (PBGC).

Our team advises on the benefits aspects of executive compensation, including non-qualified deferred and incentive compensation, stock option plans, phantom stock plans, and supplemental executive retirement plans (SERPs). We assist clients in addressing the many issues particular to governmental entities and tax-exempt organizations, including 403(b) plans, 457(b) plans, 457(f) plans, excess compensation, and intermediate sanction rules. We also assist closely held businesses through succession planning and transitioning ownership to the next generation, including the formation of Employee Stock Ownership Plans (ESOPs).



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Employee Benefits/ERISA & Compliance Areas of Practice

Employee Benefit Plan Design & Plan Correction Programs
Employee Health Plans
Employee Stock Ownership Plans
Fiduciary Counsel
Investment Counsel
Public Sector Employee Benefits