Foster Garvey

Employee Benefits & Executive Compensation

Sound strategies for reinforcing your competitive *edge*

Strong employee benefits and executive compensation packages are often integral for attracting and retaining top talent. But navigating the complex laws around these benefits can be challenging. Our team is dedicated to providing clear, practical guidance to help you create competitive, compliant and budget-conscious benefits programs that drive your business goals.

We advise private and public sector organizations and individual executives on all aspects of employee benefits and executive compensation. Our clients range from financial institutions and health care organizations to professional practices, tax-exempt organizations (including churches), and government entities. We work closely with board members, executive committees, general counsel, and C-suite leaders to develop tailored compensation solutions.

Our proactive approach keeps clients informed, making sure they're ahead of potential issues and in tune with legal trends. And, when disputes arise, we're ready to advocate for our clients' positions.

Foster Garvey and its attorneys are proud to be nationally recognized leading legal directories such as Chambers USA and Best Law Firms, which annually interview firm clients and industry peers.

Retirement Plans

We design plans, prepare plan documents and handle operational compliance issues and Internal Revenue Service submissions for defined benefit pension plans (including cash balance plans and pension equity plans), profit-sharing plans, 401(k) plans and employee stock ownership plans (ESOPs).

Plan Investments and Fiduciary Counseling

To help investment committees and plan trustees meet their obligations, we do everything from conducting training sessions for plan fiduciaries to drafting investment policy statements to counseling clients about prohibited transaction rules.

Plan Audits

We assist clients undergoing Internal Revenue Service or Department of Labor audits of their employee benefit plans to resolve the audits in a timely and efficient manner.

Tax-Exempt Organization, Governmental and Church Plans

We understand and know how to apply the special legal rules that must be followed by tax-exempt organizations, governmental employers and churches for their retirement plans, including 403(b), 457(b)

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and 457(f) plans.

Executive Compensation

We design, document and help clients operate competitive compensation packages for executives and key management employees, including deferred compensation plans and bonus and incentive plans.

Mergers & Acquisitions and Other Corporate Transactions

In addition to conducting due diligence reviews, we negotiate and draft ERISA provisions in acquisition and sale agreements. We also design and draft change-in-control agreements, retention agreements, severance packages and window retirement programs.

Corporate Governance

To help publicly traded clients meet their governance obligations, we provide compensation committee charters and counsel clients on Sarbanes-Oxley compliance.

Health Plans

We counsel plan sponsors of insured and self-insured health plans on ERISA, ACA, COBRA and HIPAA compliance.

Fringe Benefit Plans

We help clients install and operate cafeteria plans (section 125 plans), educational assistance plans, adoption assistance plans and transportation plans.

Multiemployer (Union) Plans

We advise clients on negotiating the benefits provisions of collective bargaining agreements and on handling withdrawal liability issues, including challenging and negotiating withdrawal liability assessments.

Contact

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