



## Employee Benefits & ERISA Compliance

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In today's competitive job market, employee benefits are vital to attracting and keeping top employees.

The design and administration of employer-sponsored retirement plans is often critical in both the recruitment and retention of a great workforce as well as to the retirement needs of business owners.

At Seltzer Caplan McMahon Vitek, we have years of experience providing advice and support services to our clients concerning all facets of employee benefits, including qualified retirement plans, IRAs, health and welfare plans, cafeteria/flexible benefit/premium-only plans, and non-qualified deferred compensation plans.

We specialize in helping our clients design and structure benefits packages, while also ensuring these benefits meet all regulatory and reporting requirements. A San Diego-founded law firm, we are here to help create solid framework for companies doing business in our city and take pride in meeting the goals of each client.

Our employee benefits practice includes designing and implementing:

- Qualified retirement plans, including profit sharing plans, 401(k) plans, 401(k) profit sharing plans, money purchase pension plans, and defined benefit plans
- Non-qualified deferred compensation plans/409A plans, including stock-based incentive compensation plans, rabbi trusts, and supplemental retirement arrangements
- 403(b) and 457 plans for tax-exempt and governmental agencies
- Health and welfare benefit plans (including 105 and 125 plans), including medical, dental, life insurance, cafeteria, severance plans, and VEBA trusts
- Executive compensation plans

Our employee benefits attorneys are also well experienced with:

- Fiduciary responsibilities under ERISA, including prohibited transactions and available exemptions to prohibited transactions, plan assets, and fiduciary standards of conduct
- Plan terminations and distributions, including rollover issues involving IRAs and Roth IRAs
- Advice and counsel in connection with plan administration and testing issues

### Services

- Qualified retirement plans
- ESOPs
- Non-qualified deferred compensation plans
- Health and welfare benefit plans
- Plan administration and testing
- Plan audits

- Plan audits by the Internal Revenue Service and/or Department of Labor
- Correcting plan defects, including the use of IRS and DOL compliance programs
- Preparing DROs and QDROs in connection with family law proceedings with respect to both ERISA-covered and non-ERISA retirement plans, such as CalSTRS, CalPERS, and SDCERS plans