

Employee Benefits & Executive Compensation

A company's most valuable assets are its employees. In today's competitive market, a company's compensation and benefit programs are essential in retaining existing employees and attracting the ones a business's needs. But to effectively offer those programs, one must navigate an ever-increasing and complex variety of federal and state laws, regulations, and court decisions. That is where our Employee Benefits & Executive Compensation attorneys can help. Our experienced attorneys can guide you through the legal maze, making sure your benefit and compensation programs accomplish your business's goals and fully comply with all areas of law.

Gray Reed's Employee Benefits & Executive Compensation team is relationship-driven, with a focus on supporting our clients' ongoing legal counseling needs with respect to the establishment, maintenance and even termination of their retirement, health and welfare, and executive compensation plans and programs.

We assist clients with every aspect of their human resources needs, from designing, drafting and implementing plans and agreements to counseling on compliance and fiduciary duties. Additionally, Gray Reed regularly represents businesses on the employee benefit plan aspects of their corporate transactions and act as special counsel in mergers and acquisitions, divestments, and joint ventures.

Gray Reed's Expertise

Benefit Program Design and Maintenance

We are up to date with the latest benefits laws and can help keep your plans current and compliant. Clients benefit from our experience with a broad spectrum of benefit plans, including:

- 401(k) plans
- Pensions, including cash balance plans
- ESOPs
- Health, dental, and vision plans
- Disability benefits
- Life insurance
- Cafeteria plans
- Employee service and performance awards

Executive Compensation Plans

Attraction and retention of key executives requires meaningful compensation programs, including employment agreements, non-competition agreements, equity plans, performance compensation plans, and nonqualified deferred compensation arrangements. We can help you design and draft optimal programs for your needs and industry, and ensure compliance with tax, employment, and securities law issues.

Benefit Plan Operational Error or Plan Document Failure

Considering the complexity of benefit plans, it is no surprise that errors occur. When operational errors or plan document failures arise, we will help you find the best solution. Whether the problem can be self-corrected or requires a filing under an IRS or DOL correction program, we walk you through each step.

Benefits-Related Lawsuits and Government Actions

The best philosophy is to operate in ways that avoids having problems arise. Our approach as a firm is to provide preventative counsel that limits your risk of exposure to employee lawsuits and government actions. If issues do arise, our trial lawyers aggressively protect your interests while seeking the most effective and economic resolution of the issue.

ERISA Plan Service Providers

We regularly advise investment fund sponsors, third-party claims administrators, insurance carriers, and other plan service providers on the many issues related to servicing benefit plan needs. Our experience includes advising clients on “plan asset” and ERISA fiduciary issues, HIPAA privacy compliance, ERISA claims, and appeal administration obligations, among others.