



Employee Benefits

The attorneys in the Willig, Williams & Davidson Employee Benefits Group understand that quality health care and a secure retirement are the most important things that labor unions offer to America's working families. We therefore have committed ourselves to providing the highest level of representation to Taft-Hartley pension and welfare trust funds, and to unions that negotiate for their members' benefits.

Our Benefits Group provides legal services in connection with the establishment and maintenance of a wide variety of pension, profit sharing, health and welfare, severance, training and education plans, for public and private, single and multi-employer funds. This includes counseling and advice relating to the applicable requirements of the Employee Retirement Income Security Act (ERISA), the Internal Revenue Code and the Taft-Hartley Act, The Pension Protection Act, guidance in plan formation and design, and advice in problems of fund administration, including eligibility, coverage, and investment issues. We also offer advice on employee benefit issues arising in corporate restructuring, including divestitures, mergers, plan shutdowns, spinoffs, bankruptcy reorganizations, and plan terminations.

We negotiate contracts with service providers, including investments in private equity, hedge funds, real estate and openly-traded securities. We advise funds under audit by the Internal Revenue Service (IRS), the Department of Labor (DOL), and the Center for Medicare and Medicaid Services (CMS). We counsel funds on all issues of day-to-day operations, including participant communications, claims adjudication, COBRA, HIPAA, and cafeteria plan administration.

We work closely with our clients' professional advisors, accountants and actuaries to design employee benefit plans and to secure favorable tax treatment with respect to the formation and subsequent proper operation of these employee benefit plans. We are not content just to copy IRS model language into our plan documents. All of our clients require plan documents that comply with the law. But we believe they also deserve plan documents that clearly reflect the terms of their bargain and that provide a workable blueprint for plan administration.

We also represent our union and trust fund clients by: (1) developing innovative benefit proposals to resolve bargaining impasses successfully; (2) representing them in all forms of benefits litigation — including trustee-deadlock arbitrations, lawsuits against former plan providers, and contribution delinquency actions against employers; (3) handling benefit related grievance arbitrations and unfair labor practice proceedings; and (4) preparing and presenting benefit issues before interest arbitration panels.



Our lawyers regularly serve as lecturers at employee benefit law institutes and seminars and prepare educational training for clients in the employee benefits area.

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