

## Business, Corporate Finance, and Tax

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### Employee Benefits and Executive Compensation

#### Contact

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The laws and regulations governing employee benefit plans and executive compensation are dense and complex. Unfortunately, many lawyers become so caught up in the technical aspects of this legal area that they forget why clients hire them.

What clients usually want from their lawyers boils down to one of two broad objectives:

- ▶ Help them provide competitive benefits and compensation packages that further their business goals while keeping within budgetary constraints
- ▶ Help them avoid legal problems with regulators or employees, and, if problems arise, help resolve them quickly and cost-effectively

Never losing sight of client objectives, we meet them by delivering high-quality, practical advice. We use nontechnical, easily understandable language and we are proactive. Faced with a legal roadblock, we find an alternative path.

#### Clients and Services

We serve as advisor to the boards, committees, trustees, general counsel and key executives of private and public companies, financial institutions, professional practices, healthcare organizations, tax-exempt organizations (including churches) and governmental entities.

We represent both our firm's regular clients as well as clients hiring us solely for advice about employee benefits and executive compensation. Many clients are referred to us by accountants, actuaries, consultants and third-party administrators, and even by other attorneys. They know and trust our legal skills and commitment to clients.

Here is a brief overview of our services:

- ▶ **Retirement Plans:** We design plans, prepare plan documents and handle operational compliance issues and IRS submissions for defined benefit pension plans, profit-sharing plans, 401(k) plans and employee stock ownership plans (ESOPs).
- ▶ **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.
- ▶ **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.
- ▶ **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.
- ▶ **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 both insured and self-insured health plans on ERISA, COBRA and HIPAA compliance.
- ▶ **Fringe Benefit Plans:** We help clients install and operate cafeteria plans (section 125), educational assistance plans, adoption assistance plans and transportation plans.