

Littler's Employee Benefits Summit NYC 2015

Tuesday, June 9, 2014



AGENDA

8:30 am - 9:00 am	REGISTRATION & BREAKFAST
9:00 am - 10:00 am	The Affordable Care Act — Imperatives for Employers in 2015 and Beyond <p>Now that we are in the era of the pay or play mandate, employers are formulating strategies as to how to best deal with health care reform. Employers are beset with threats of lawsuits, new governmental filings, and penalty taxes as they navigate the perilous waters of healthcare reform. Special concerns exist for employers who are going through workforce restructurings, as well as those who deal with staffing companies, short-term employees and collectively bargained employees. At this session, we will discuss how employers can best meet these challenges.</p>
10:00 am - 11:00 am	Benefits Document Drafting is Key to Staying Out of Court <p>There are simple document drafting changes which can best keep employers from dancing on the minefield of explosive and very disruptive benefit claims. In this session, our employee benefits litigators and compliance attorneys will discuss those changes that employers can implement now in retirement, welfare, severance and executive compensation documents which can help mitigate or prevent future costly claims.</p>
11:00 am - 11:15 am	BREAK
11:15 am - 12:15 pm	Why Quibble with Tibble? The Supreme Court Reminds Fiduciaries of the Wide Scope of Their Duties <p>Quite recently, the US Supreme Court imposed on plan fiduciaries the duty to continuously monitor plan investments. This holding, along with the myriad cases relating to plan fees and the DOL's focus on fiduciary audits, have put fiduciaries on notice that they must take quite seriously their role as the steward of their 401(k) plan. At this session, we will discuss best practices for fiduciary governance and concrete steps which can be taken to protect plan fiduciaries. We will also touch on those areas of concern to employers in their role as plan administrators and the best way to protect plans from administrative miscues.</p>

(continued)

Littler's Employee Benefits Summit NYC 2015

Tuesday, June 9, 2014



12:15 pm - 1:30 pm	LUNCH PROGRAM: 409A – Do We Still Need to Worry About This? What continuing relevance does Section 409A have with respect to employment-related documents and other types of remuneration paid to employees? At this session, we will discuss where the landmines are and the best ways to make sure that compliant practices are followed.
1:30 pm - 2:30 pm	Whither Wellness? A Guide for the Perplexed The EEOC's recently proposed wellness regulations amending the Americans with Disabilities Act regulations and interpretive guidance address the use of incentives to encourage employees to participate in wellness programs that include disability-related inquiries and/or medical examinations and the scope of "voluntariness." While the rule would provide a degree of certainty, the proposal's further restrictions may further chill the development of wellness programs. Meanwhile, many wellness programs struggle to comply with existing ACA regulations. Where do wellness programs go from here?
2:30 pm - 3:30 pm	Ethical Issues for Benefits Practitioners In this session, we will address some of the ethical issues that benefits practitioners confront when advising plans and their fiduciaries. In particular, we will discuss the parameters of the fiduciary exception to the attorney-client privilege, which has recently received significant attention from the courts.