



----- CLE SEMINAR -----

# 14th Annual Employee Benefits Update

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**LIVE** SEMINAR: **Wednesday, September 5, 2018 – Madison**  
WEBCAST: **Wednesday, September 5, 2018**

**REPLAY** WEBCAST: **Wednesday, September 19, 2018**  
WEBCAST: **Tuesday, September 25, 2018**  
WEBCAST: **Friday, October 5, 2018**  
WEBCAST: **Thursday, October 11, 2018**  
WEBCAST: **Tuesday, October 16, 2018**

CREDITS **7 CLE**

# 14th Annual Employee Benefits Update

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## Brass tacks of benefits

How do you attract, retain, and incentivize employees while navigating the complex rules that regulate compensation and benefits? Join us as we dig into the nitty gritty of employee benefits and evolving issues that impact your practice.

The *14th Annual Employee Benefits Update* is the single-most practical update on this topic the State Bar has provided to date. Go back to the basics with useful insights into:

- Employment and severance agreement basics
- Department of Labor guidance overseeing retirement plan investments
- Practical retirement plan rule changes that you need to know
- Tax reform
- A review of ERISA duties that have nothing to do with fees

## Keeping up with the courts

Discover cases and opinions with potentially far-reaching impacts. In addition, explore an emerging trend involving the Mental Health Parity and Addiction Equity Act (MHPAEA) with an overview of significant nationwide class action cases.

## Everyday essentials

Are you overlooking something small, yet significant that could make the difference for your clients? Build up your benefits skills with nuts-and-bolts information from the *14th Annual Employee Benefits Update*. **Register now!**

**Save 20%!**

Save 20% on *Wisconsin Employment Law*. Use discount code **CA2783** when you order online or by calling (800) 728-7788.\*

It covers legal issues from hiring through termination and beyond, including:

- Wages and hours
- Employee benefits
- Worker's comp
- Wrongful discharge
- Restrictive covenants
- Unemployment insurance
- Occupational safety and health
- Privacy rights in the workplace

**Print Book:** #AK0046; 2,080+ pp.; 6th ed. 2016-17; 3 volumes (includes 2017-18 supplement)  
**Member:** ~~\$219~~ \$175.20 | **Nonmember:** ~~\$269~~ \$215.20

**Books UnBound® Subscription:** #AE0046  
**Member:** ~~\$159~~ \$127.20 | **Nonmember:** ~~\$199~~ \$159.20

\*Discount applies to both print and digital Books UnBound® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For Books UnBound users, discount may be applied to purchase of individual Books UnBound title only and may not be used on purchase of full library.



## Additional Learning Opportunities

### 13th Annual Employee Benefits Update – 2017

Gain an understanding of the ERISA Fiduciary Rule and its impact on advisors and sponsors. Receive an overview of Wisconsin's new Safe at Home program. Learn what's changing (and what isn't) under the new Employee Plans Compliance Resolution System, and much more. **7 CLE**

**CLE OnDemand:** #CA2640D | **Member:** \$249 | **Nonmember:** \$329

### Workplace Wellness Case Law Update: Impacts to the ACA, ADA, and GINA

Help clients ensure their workplace wellness plans comply with the ADA, ACA, and GINA. Learn how to advise clients wishing to implement workplace wellness programs for the 2019 plan year. In addition, explore the impact of recent court rulings on various aspects of wellness plans. **1 CLE**

**Webcast Replay:** July 20, 2018 | July 25, 2018 | July 31, 2018 | Aug. 9, 2018 | Aug. 13, 2018

### Wisconsin Employment Law Codebook 2018

Whether you're dealing with worker's compensation, unemployment insurance laws, the Family and Medical Leave Act, or fair employment laws, this handy codebook contains all Wisconsin statutes and regulations governing employment.

**Print Book:** #AK0426E18; 2616+ pp.; 2018; | **Member:** \$69 | **Nonmember:** \$89

### Hiring and Firing in Wisconsin

Find a comprehensive overview of the WI statutes governing screening, hiring, and termination. This book discusses how federal laws impact the state's employment practices. It also covers discrimination in hiring, testing and screening, providing references, and more. (Includes 2017-18 supplement)

**Print Book:** # AK0206; 304+ pp.; 6th ed. 2015-16 | **Member:** \$89 | **Nonmember:** \$109  
**Books UnBound® Subscription:** # AE0206 | **Member:** \$159 | **Nonmember:** \$199

# Schedule

**8:00 AM Registration**

**8:30 AM Retirement Plan Updates**

- Overview of the changes for pre-approved plan documents applicable to the next filing cycle
- Extended time for rolling cash in lieu of a defaulted loan into another qualified plan or an IRA
- Changes to hardship distribution rules from the Tax Reform Bill and the Bipartisan Budget Act
- New PBGC program that assists sponsors of terminating plans in locating missing participants  
*Steven E. Grieb*

**9:20 AM A Potpourri of Interesting Recent Court Opinions on Employee Benefit Matters**

- Is the employer an agent of the insurance company for purposes of group-term life insurance beneficiary insurability?
- Did an employer breach its fiduciary duty regarding a group life-insurance plan?
- Can a post-death QDRO be validated?
- Fiduciary breach from the use of retail shares  
*Brian L. Anderson*

**10:10 AM Break**

**10:25 AM What Benefits Attorneys Should Know About Employment Agreements**

- Why attorneys who limit their practices to executive compensation will be involved with drafting and/or reviewing employment agreements

- Why state law will often have a greater impact on restrictive covenants than federal law
- Recent Wisconsin court cases and federal legislation that make your “standard” restrictive covenants unenforceable  
*Mary Ellen Schill*

**11:15 AM Updates on Retirement Plan Investments**

- Department of Labor (DOL) guidance on social investing
- DOL guidance on proxy voting
- Overview of prohibited transactions
- Overview of investments in Individual Retirement Accounts  
*David Eckhardt*

**12:05 PM Lunch (on your own)**

**1:05 PM Employee Benefits Changes Under Tax Reform, Including:**

- Changes to 162(m) limitation on deductions for covered employee compensation in excess of \$1 million
- New taxes on tax-exempt entities for excessive executive severance and compensation (Code Section 4960)
- Qualified equity grants under Code Section 83(i)
- Fringe benefits issues – moving expenses, transportation expenses

- Qualified plan issues - rollover periods for plan loan offsets, Roth re-characterization  
*Martin P. Tierney*

**1:55 PM ERISA Cases and Mental Health Coverage**

- Significant recent ERISA cases from the Seventh Circuit
- Recent developments involving mental and behavioral health coverage under employee benefits plans
- Discussion of Mental Health Parity Act and the more stringent review that insurers place upon such claims  
*John B. Tuffnell*

**2:45 PM Break**

**3:00 PM ERISA 101 – A Review of ERISA Duties That Have Nothing to Do With Fees!**

- An analysis of ERISA fundamentals relating to:
  - ▶ Document retention
  - ▶ ERISA bond requirements
  - ▶ What expenses can be paid with plan assets
  - ▶ Delivery of SPDs and other plan-required notices, and similar topics  
*Leigh C. Riley*

**3:50 PM Program Concludes**

*Following program start time, webcast replay schedule will vary slightly from above listed times.*

# Faculty

## Program Chair

**Michael W. Taibleson**

Husch Blackwell LLP, Milwaukee

## Presenters

**Brian L. Anderson**

DeWitt Ross & Stevens, S.C., Madison

**David Eckhardt**

Husch Blackwell LLP, Milwaukee

**Steven E. Grieb**

Director of Regulatory Services, Empower Retirement, Milwaukee

**Leigh C. Riley**

Foley & Lardner LLP, Milwaukee

**Mary Ellen Schill**

Ruder Ware, L.L.S.C., Wausau

**Martin P. Tierney**

Michael Best & Friedrich LLP, Milwaukee

**John B. Tuffnell**

Tuffnell Law, S.C., Milwaukee

# Credits

This program has been submitted to the Wisconsin Board of Bar Examiners for up to **7.0 CLE credits**. It does not qualify for EPR credits.

The live seminar and live webcast on Friday, September 5, 2018 will also be submitted Minnesota CLE credits.

# Location

## Live Seminar

**Madison, State Bar Center**

5302 Eastpark Blvd., American Center,  
(608) 257-3838

# Registration

**Online:** [www.wisbar.org/seminars](http://www.wisbar.org/seminars) » credit card or Ultimate Pass only

**Phone:** (800) 728-7788 » credit card or Ultimate Pass only

**Fax:** (608) 257-5502 » credit card or Ultimate Pass only

**Mail:** State Bar PINNACLE Registrations  
P.O. Box 7158, Madison, WI 53707-7158  
check, credit card, Passbook, or Ultimate Pass

**STATE BAR CLE/PINNACLE PASSBOOK REGISTRATIONS:** Passbook Certificates must be received by the State Bar at least one business day prior to the event. For live and video seminars, walk-in registrations with the Passbook Certificates are welcome.

**REGISTRATION CANCELLATIONS:** Please visit [www.wisbar.org/cancellation\\_policy](http://www.wisbar.org/cancellation_policy) for information on PINNACLE registration cancellation policies.

## Course materials for those attending the seminar

Course materials are provided to seminar attendees in PDF format and are downloadable from *myStateBar* on [wisbar.org](http://wisbar.org) up to four days prior to and 90 days after your seminar. The PDF format is ideal for creating an electronic library that is easily stored, searched, and shared. PDFs allow you to search multiple files at once, copy and paste desired paragraphs, or send the entire PDF to a colleague without leaving your desk.

Use Adobe Reader, GoodReader for iPad, or another free downloadable program to access the files from your computer, tablet, or mobile device during the seminar to make notes electronically, or print relevant sections ahead of time.

For live seminar attendees who prefer to receive course materials in printed format, please select the tuition option that includes printed materials for an additional \$20. You will also have access to the PDFs to get the benefit of both options.

### Who should attend:

- Employee benefits lawyers
- Health law attorneys
- Employment law practitioners
- Tax law attorneys
- Insurance law practitioners
- Business law attorneys
- In-house counsel
- General practitioners

### How you'll benefit:

- Learn what the IRS, Balanced Budget Act, Tax Cuts and Jobs Act, and more mean for retirement plans
- Explore the most interesting court opinions from the past year involving employee benefits
- Look at emerging trends in benefit plans offering mental and behavioral health coverage
- Understand how benefits are impacted by employment and severance agreements
- The newest dos and don'ts of retirement plan investing
- Hear how Tax Reform will impact employee benefit plans
- Receive an analysis of ERISA fundamentals

## 14th Annual Employee Benefits Update

Priority Code: S 3 5 9 4 B

SEMINAR TUITION	LIVE SEMINAR: With PRINTED Course Materials	LIVE SEMINAR: With Downloadable (PDF) Course Materials	WEBCAST SEMINAR: With Downloadable (PDF) Course Materials
<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$239	<input type="checkbox"/> \$219	<input type="checkbox"/> \$249
<input type="checkbox"/> Nonmember	<input type="checkbox"/> \$319	<input type="checkbox"/> \$299	<input type="checkbox"/> \$329
<input type="checkbox"/> Ultimate Pass Subscriber	<input type="checkbox"/> \$20	<input type="checkbox"/> \$0	<input type="checkbox"/> \$0
<input type="checkbox"/> Passbook Certificate User	<input type="checkbox"/> \$20 + 1 Certificate	<input type="checkbox"/> 1 Certificate	<input type="checkbox"/> 1 Certificate

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To purchase written course materials for those **not** attending this program, contact the State Bar at (800) 728-7788.

**NOTICE:** By attending this State Bar event, you understand and agree that you may be photographed and/or electronically recorded during the event and you hereby grant to the State Bar the right to use and distribute your name and likeness for promotional or educational purposes without monetary compensation. The State Bar assumes no liability for such use.

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