



ERISA: A Comprehensive Guide

Paul J. Schneider, Brian M. Pinheiro

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The expanded **Third Edition** of **ERISA: A Comprehensive Guide** provides a thorough and authoritative analysis of the principal statutory provisions of the Employee Retirement Income Security Act of 1974 (ERISA) and the corresponding provisions of the Internal Revenue Code dealing with employee benefits.

Cited by the Supreme Court, **ERISA: A Comprehensive Guide** discusses and explains the multitude of regulations, rulings, and interpretations issued by the Department of the Treasury, the Internal Revenue Service, the Department of Labor, and the Pension Benefit Guaranty Corporation in explanation of ERISA and the subsequent legislation amending or supplementing ERISA.

ERISA: A Comprehensive Guide has been updated to include in-depth, timely coverage of recent significant changes and rulemaking, including:

- The employee benefit provisions of the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA) and the Heroes Earnings Assistance and Relief Tax (HEART) Act of 2008
- New requirements for filing Form 5500 and changes to the PBGC filing and notice requirements
- Temporary suspension of the minimum distribution requirements for 401(k) and other defined contribution retirement plans for 2009
- New required annual funding notice for defined benefit pension plans
- New rules regarding the information that a participant must receive before electing to defer receipt of a benefit distribution
- Expansion of the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)
- IRS guidance allowing employers to suspend safe harbor matching contributions in the event of substantial business hardship
- Latest developments in the employer stock drop litigation and the 401(k) plan fee litigation, including a detailed discussion of the Seventh Circuit's decision in *Hecker v. Deere & Co.*, which includes an interpretation of ERISA Section 404(c) that favors the protection of plan fiduciaries
- A discussion of the preemption analysis applicable to health care "pay or play" laws in *Golden Gate Restaurant Association v. San Francisco*
- New material discussing the preemption issues associated with misrepresentation claims arising in the context of insurer pre-approvals
- The temporary COBRA premium subsidy program as set forth in the American Recovery and Reinvestment Act of 2009 (ARRA)

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