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# Surviving the Storm 2016: Employee Benefit Compliance & Employment Law Update

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University School of Law

# Surviving the Storm 2016: Employee Benefit Compliance & Employment Law Update

Start: Jul 12 2016 2:37 pm

Date:

Thu, 09/15/2016 - 8:00am

Location:

RWU School of Law, Providence Campus

8:00 - 9:00 AM Registration, Continental Breakfast & Networking

9:00 - 12:30 PM Seminar

Roger Williams University School of Law

One Empire Plaza - 4th Floor

Providence, RI 02903

Join us for this complimentary seminar co-sponsored by Roger Williams University School of Law, Marsh & McLennan Agency, and Pierce Atwood LLP!

A continental breakfast will be provided.

## **Speakers:**

### **George Thompson**

Director of Compliance & Regulatory Affairs

Marsh & McLennan Agency

### **Brooks R. Magratten**

Partner

Pierce Atwood LLP

### **Mark A. Pogue**

Partner

Pierce Atwood LLP

### **Kelli Viera**

Managing Director

Marsh & McLennan Agency

**Cecily Banks**

Professor of Experiential Education  
Roger Williams University School of Law

The speakers will address:

- ACA compliance, employer mandated fundamentals, and employee benefit plan design strategies in light of 2016 developments and changes under the Affordable Care Act
- ERISA developments that impact employee benefit plans
- Recent cutting edge employment law issues for employers
- The RWU Law Corporate Counsel Externship Program

Who Should Attend:

The content being discussed is geared toward Corporate Counsel, Compliance Officers, and Vice Presidents and Directors of Human Resources.

This event qualifies towards HR Credits and is approved for four (4) Rhode Island CLE credits including zero ethics credits.



## **SURVIVING THE STORM 2016:**

### **Employee Benefit Compliance & Employment Law Update**

Thursday, September 15, 2016 | 8:00AM – 12:30PM

At Roger Williams University School of Law

**Registration 8:00-9:00 AM**

**Welcome and Introduction 9:00-9:05 AM**

*Michael J. Yelnosky*

*Dean, Roger Williams University School of Law*

**2016-2017 Employee Benefit Compliance Changes 9:05-10:00 AM**

*George Thompson*

*Director of Compliance & Regulatory Affairs*

A review of recent employee benefit compliance developments regarding the employer and individual mandates under the ACA; when to credit an employee with an hour worked time away from work for purposes of determining when an offer of coverage must be made; wellness regulations; EEOC enforcement activity; opt out plans; 1095-C reporting changes; increasing ACA and ERISA penalties; new discrimination regulations.

**2016: Plan Design Money Saving Strategies 10:00-10:25 AM**

*Kelli Viera*

*Managing Director*

A review of medical plan design strategies to assist in mitigating plan cost and exposure due to ACA requirements. Topics discussed will include: Pay or Play Analysis; Funding Arrangements; Pharmacy Plan Analysis; and Wellness Strategies.

**Break 10:25-10:40 AM**

## **The RWU School of Law Corporate Counsel Externship Program 10:40-10:50 AM**

*Cecily Banks*

*Professor of Experiential Education*

An overview of the goals, design, and requirements of the Corporate Counsel Clinical Externship Program and the "substantial lawyering experience" at its core; identify the company eligibility; describe the type of work that students perform and overall program experience., including employment compliance work; describe the supervising attorneys' experiences, anecdotally; and answer any questions.

## **Recent ERISA Developments That Will Impact Benefit Plans 10:50-11:35 AM**

*Brooks Magratten*

*Partner, Pierce Atwood LLP*

A review of current ERISA topics affecting employers and employee benefit plans including plan reformation under *Amara* and statutory penalties for failure to provide plan documentation.

## **Recent Employment Law Issues/Developments 11:35-12:20 PM**

*Mark Pogue*

*Partner, Pierce Atwood LLP*

2016 developments in employment law in Rhode Island and Massachusetts. Should your company have an employee handbook? Social media policies -- pros and cons.

**This program is approved for HR Credits and four (4) Rhode Island MCLE credits, including zero ethics credits.**

Join us for a complimentary seminar co-sponsored by Roger Williams University School of Law, Marsh & McLennan Agency, and Pierce Atwood, LLP! This event will take place at:

Roger Williams University School of Law  
1 Empire Plaza  
Providence, Rhode Island 02903

Continental breakfast and box lunch will be provided. Space is limited so register early!

## SURVIVING THE STORM 2016:

# Employee Benefit Compliance & Employment Law Update

Thursday, September 15, 2016 | 8:00AM – 12:30PM

At Roger Williams University School of Law



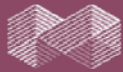
In this seminar, the speakers will address: 1. ACA compliance, employer mandate fundamentals, employee benefit plan design strategies in light of 2016 developments and changes under the Affordable Care Act (ACA), 2. Current ERISA developments that impact employee benefit plans, 3. Recent cutting edge employment law issues for employers.

The content being discussed is geared toward Corporate Counsel, Compliance Officers, and Vice Presidents and Directors of Human Resources.

### Topics To Be Addressed

- ACA Compliance  Employee Benefit Plan Design  Does your business need a
- ACA Employer Mandate strategies and trends social medial policy? Pros
- ACA Cadillac Tax  ERISA developments and employee and Cons
- ACA Wellness Plans and the EEOC benefits  Latest developments in
- ACA Information reporting,  Employee Handbooks...are they Massachusetts and Rhode  
2016/2017 penalties and appeals worth the risk? Island Employment Law

\*This event qualifies towards RI CLE Credit



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## Meet the Speakers

### George M. Thompson, Esq.

Director of Compliance & Regulatory Affairs, Marsh & McLennan Agency

George Thompson is the ERISA and employee benefit compliance counsel for the Marsh & McLennan Agency of New England working out of the Boston and Worcester, Massachusetts offices. He has responsibility for addressing any health care reform regulatory or employee benefit compliance needs for all clients. Prior to joining MMA, George had a law practice focused on assisting employers and employees and their families in reversing disability, life, health and long term care insurance claim denials. He also worked as the Vice President and Managing Counsel at the UNUM Group where he worked on ERISA and non ERISA matters for 15 years.



He is a past Chairman of the Massachusetts Bar Association's Health Law Section as well as a past adjunct professor of Insurance Law at the University Massachusetts of School of Law and the Western New England School of Law. He received his B.A. from Dartmouth College, a M.S. from American International College and his J.D. from Suffolk University School of Law. He is a native of Westborough, Massachusetts. He has spoken numerous times on ERISA, the Affordable Care Act, insurance and employee benefit compliance issues throughout the northeast.

### Brooks R. Magratten

Partner, Pierce Atwood LLP





Brooks Magratten is the partner in charge of the firm's Providence office. He has more than twenty years of experience in insurance, product liability and commercial litigation. He is the former Northeast Regional Director of DRI and former chair of its Life, Health & Disability Insurance Committee.

Brooks is a frequent author, instructor and lecturer on ERISA issues and trial skills. He has represented commercial interests in litigation throughout the northeastern U.S. He is an adjunct professor of the Roger Williams Law School, teaching federal practice and procedure.

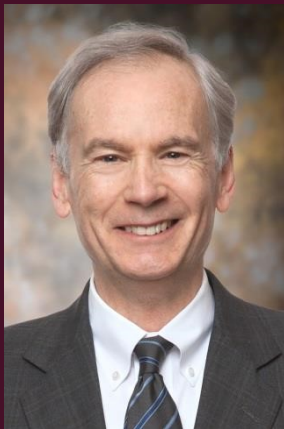
### **Mark A. Pogue**

Partner, Pierce Atwood LLP

Mark Pogue focuses his practice on employment law and related litigation, representing employers and employees in a full range of employment matters in state and federal courts and administrative agencies. Mark appears frequently in courts across Rhode Island and Massachusetts, and before the Rhode Island Commission for Human Rights and the Massachusetts Commission Against Discrimination.

Mark has also litigated many matters involving ERISA claims. In addition to litigating contested issues, Mark advises clients on all their employment issues, including restrictive covenants, workforce reductions, disability leaves, wage and hour compliance, and termination.

Prior to joining Pierce Atwood, Mark was a partner in the Labor & Employment Practice Group at Edwards Wildman, now known as Locke Lord Wildman. Before that he practiced for three years as a trial attorney in the Civil Division of the United States Department of Justice in Washington, D.C., where he received the Department's Special Achievement Award.



### **Kelli Viera**

Managing Director, Marsh & McLennan Agency



Kelli Viera brings over 20 years of benefits consulting experience to Marsh & McLennan Agency, joining as a Senior Consultant in 1999. Today, she is a Managing Consultant, acting as an invaluable resource for key clients, and facilitating strategy and communication among team members and executive management.

Kelli has extensive knowledge of industries and carriers, building credibility with a variety of clients who are seeking a consultant with high market intelligence and an awareness of ongoing trends. Her expertise includes healthcare, financial funding arrangements, vendor plans, team management and motivation, sales force collaboration, and all regulatory and legal aspects of employee benefits. Before joining MMA, Kelli was a Consultant at Arthur J. Gallagher & Co.

Kelli earned her bachelor's degree from The University of Michigan. She is a member of the Boston Chamber of Commerce, New England Employee Benefits Council, Small Business Association of New England, and the Rhode Island Business Group on Health, as well as a licensed life, accident, and health producer.

### **Cecily Banks**

Professor of Experiential Education, Roger Willams University School of Law



Professor Cecily Banks serves as a Professor of Legal Practice. A member of the RWU faculty since 2003, Professor Banks teaches classes in legal practice, contract drafting and business skills. Her students learn how to understand a client's business deal, and how to translate the deal into contract concepts, the building blocks of contracts. They also learn the process for drafting the contract concepts in clear and unambiguous provisions in a wellorganized complete contract that reflects accurately the parties' deal and how to add value to a client's deal by drafting and recognizing nuances in language that change the deal and shift risk between the parties.

After graduating from the University of Virginia School of Law, Professor Banks worked in commercial litigation at law firms in Rhode Island, Massachusetts and Virginia. She has extensive experience in writing legal briefs, presenting oral arguments, trying cases and conducting settlement negotiations. Her training in commercial litigation and her general practice background serve as experience for teaching her various skills-oriented courses.