

Thomas C. Senter
PARTNER

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My legal practice and my service as a Trustee of Englewood Hospital and Englewood Health are similar in at least one important respect. In each of these pursuits, I have dedicated myself to working effectively with others to achieve practical solutions to complex problems.

Mr. Senter's practice focuses primarily on all aspects of employee benefits and executive compensation. He provides counsel to employers, senior executives, Boards of Directors and Board Committees.

Mr. Senter has extensive experience related to equity and non-equity based qualified and non-qualified retirement and compensation plans, stock option and deferred compensation arrangements, fiduciary issues under ERISA, plan qualification and administration issues, and employee health and welfare plans. He also advises clients on compliance with Section 409A of the Internal Revenue Code, the Affordable Care Act, HIPAA and COBRA, and assists in the negotiation and drafting of employment and separation agreements.

Results may vary depending on your particular facts and legal circumstances.

HONORS & AWARDS

- American College of Employee Benefits Counsel Fellow
- Mr. Senter served as Honorary Chair of the Korean Community Center's 2018 Gala, in recognition of his contributions to the advancement of healthcare for the Korean American population as Chairman of Englewood Hospital and Medical Center.

Departments

Employment Law
Tax, Trusts & Estates
Healthcare

Practice Groups

Employee Benefits &
Executive Compensation
Higher Education

Education

New York University School of
Law, LL.M. in Taxation, 1982
St. John's University School
of Law, J.D., 1979
Wharton School of the
University of Pennsylvania,
B.S., *cum laude*, 1975

Bar Admissions

New York, 1980
New Jersey, 1982
U.S. District Court, Southern
and Eastern Districts of New
York, 1980
U.S. Tax Court, 1980
U.S. District Court, District of
New Jersey, 1982

Thomas C. Senter (Cont.)

- Mr. Senter was honored by the Englewood Hospital and Medical Center Foundation at its Annual Gala in June of 2017. He received the Touchtone Award, the Medical Center's highest honor, for his contributions as Chairman of Englewood Hospital and Medical Center and its parent corporation, Englewood Healthcare System.
- Listed in *The Best Lawyers in America*® (a trademark of Woodward/White, Inc.) in the Employee Benefits (ERISA) Law practice area (2005 – present)
- Listed in *New Jersey Super Lawyers* (a Thomson Reuters business) in the Employee Benefits, Estate Planning & Probate and Employment & Labor: Employer practice areas (2013 – 2014, 2017 – present)
- Martindale-Hubbell® Peer Review Rated AV® Preeminent (a trademark of Internet Brands, Inc.) (2002 – present)

Please visit our Award Methodology page for a description of the standard or methodology on which these accolades are based. Attorney Advertising: No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

REPRESENTATIVE MATTERS

Results may vary depending on your particular facts and legal circumstances.

- Representation of sellers of stock in a corporation with a significantly overfunded defined benefit pension plan which was assumed by the purchaser upon closing
- Representation of plan sponsors before the Internal Revenue Service and the U.S. Department of Labor under the voluntary correction programs maintained by those agencies
- Representation of the new Board of Directors of a bank under regulatory supervision in connection with the recapitalization and takeover of control of the bank and the issuance of equity compensation to the new Officers and Directors
- Representation of a non-profit hospital on senior management employment and benefit issues involved in the intended formation of a new healthcare system in New Jersey
- Representation of the President/CEO of a New Jersey Medical Center with annual revenues of several hundred million dollars, in the negotiation and preparation of employment and deferred compensation agreements
- Representation of the directors of a bankrupt pension plan sponsor, and the trustees of an underfunded pension plan in connection with the assumption of the plan by the Pension Benefit Guaranty Corporation
- Negotiations with the Pension Benefit Guaranty Corporation on behalf of an individual against whom the PBGC asserted a claim for withdrawal liability in excess of \$7 million
- Representation of a public company in connection with an internal review of all of its previously issued and outstanding stock options and warrants to confirm that the prior grants and exercises were

appropriately reported for securities laws, income taxation and payroll purposes

- Negotiation of an employment separation package on behalf of the President/CEO of a U.S. operating subsidiary of a Korean automobile manufacturer
- Review and assistance with the restructuring of retiree health coverage provided by a college for its current and former faculty members in order to reduce the college's expenses and limit its future liability exposure under the arrangement
- Representation of an actuarial consulting firm in its defense of allegations that it had improperly handled the calculation of benefits payable upon plan termination to the financial detriment of the plan sponsor
- Restructuring of a deferred compensation package for the retiring CEO of a federal credit union to avoid the immediate recognition of income upon employment termination
- Representation of a benefits consulting firm in the defense of claims brought against it by the U.S. Department of Labor which asserted that the firm was a plan fiduciary responsible for the misappropriation of plan assets

UNIQUELY NJ

- Englewood Health, Englewood Hospital and Englewood Health Foundation; Board of Trustees (Past Chairman)
- New Jersey State Bar Association; Taxation Law Section, Employee Benefits Committee

MORE ACTIVITIES & EXPERIENCE

- American Bar Association; Taxation Section, Employee Benefits Committee
- New York State Bar Association
- *Journal of Pension Planning & Compliance* (Aspen Publishers); former Editorial Advisory Board

PRESENTATIONS & SPEAKING ENGAGEMENTS

Presenter, The Board's Role in Addressing Social Determinants of Health: An Interactive Education Session for Board Chairs

Sponsor: *The Governance Institute, A Service of NRC Health*, April 7, 2022

Speaker, Employee Handbooks in 2022: What the Pandemic Has Taught Us

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP*, March 3, 2022

Speaker, Covid and Testing and Mandates, Oh My! - A 2022 Update on the Biden Administration's Actions, Court Challenges, and Employer Best Practices

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP*, February 10, 2022

Presenter, Hot Topics in Group Health Plan Administration

Sponsor: *The Knowledge Group*, June 8, 2021

Speaker, Executive Compensation in the Healthcare Industry: Managing the Process Against the Backdrop of a Pandemic

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP, NJ Hospital Association, NJ Healthcare Financial Management Association, and Medical Society of NJ*, November 17, 2020

Presenter, COVID-19 and Your Business: A Close-up Look at FFCRA Compliance, Employee Benefits and Avoiding Potential Litigation

Sponsor: *New Jersey Builders Association*, June 23, 2020

Presenter, Title II of the CARES Act: Assistance for American Businesses and Families

Sponsor: *Clear Law Institute*, May 22, 2020

Speaker, The 2018 Employment Law Landscape in New Jersey: What Employers Need to Know

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP*, August 14, 2018

Guest Lecturer, Healthcare Reform and its Impact in New Jersey

Sponsor: *Rutgers New Jersey Medical School*, Fall 2013 Semester

Presenter, How to Avoid Common Pitfalls and Maintain Benefit Programs in a Compliant and Cost Efficient Manner

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP and WithumSmith+Brown seminar*, March 15, 2012

Presenter, Health Care Reform- What Does it Mean to NJ Employers?

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP Webinar*, January 20, 2011

Presenter, How to Successfully Handle Fiduciary Responsibilities in a Difficult and Uncertain Environment

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP Webinar*, November 11, 2010

Presenter, Annual Employee Benefits Update

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP Webinar*, October 28, 2009

Presenter, Employee Benefits Update: How to Save Money, Comply with Legislative Changes and Keep Employees Happy in Difficult Times

Sponsor: *Greenbaum, Rowe, Smith & Davis LLP Webinar*, June 9, 2009

PUBLICATIONS & ALERTS

Author, An Overview of the Federal Trade Commission's Final Rule Banning Non-Compete Clauses
Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 24, 2024

Author, FTC Proposes Ban on Non-Compete Agreements
Greenbaum, Rowe, Smith & Davis LLP Client Alert, January 11, 2023

Co-Author, Three Issues to Consider When Assessing the Impact of the U.S. Supreme Court's Decision in
Dobbs v. Jackson Women's Health Organization
Greenbaum, Rowe, Smith & Davis LLP Healthcare Perspectives Blog, July 14, 2022

Co-Author, U.S. Supreme Court Halts Enforcement of OSHA Vaccine Mandate for Private Employers
Greenbaum, Rowe, Smith & Davis LLP Client Alert, January 18, 2022

Quoted, Home Rules
NJBIZ, January 17, 2022

Co-Author, Multiple Appeals Leave Lingering Uncertainty for Employers After Federal Appeals Court Lifts
Stay of OSHA Emergency COVID Vaccine Mandate
Greenbaum, Rowe, Smith & Davis LLP Client Alert, December 28, 2021

Co-Author, Federal Court Puts OSHA's Emergency COVID Vaccination Mandates on Hold, But Private
Employers Must Still Consider Next Steps
Greenbaum, Rowe, Smith & Davis LLP Client Alert, November 23, 2021

Co-Author, NJ Governor Murphy Signs Executive Order 192 in Response to Latest Spike in COVID-19
Cases: New Protective Workplace Requirements for Employers Are Effective November 5
Greenbaum, Rowe, Smith & Davis LLP, November 2, 2020

Author, Facilitating Great Board Practices
The Governance Institute, E-Briefings, Volume 17, No. 5, September 2020

Co-Author, Title II of the CARES Act: Assistance for American Workers, Families and Businesses
Greenbaum, Rowe, Smith & Davis LLP Client Alert, March 30, 2020

Author, The Role of Minutes in the Governance Process
Governance Notes, October 2019

Co-Author, The Diane B. Allen Equal Pay Act - Part One: New Jersey Employers Should Review and
Update Compensation Policies and Practices to Comply
Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 2018

Co-Author, New Overtime Rules Delayed
Greenbaum, Rowe, Smith & Davis LLP Client Alert, December 2016

Co-Author, Important Next Steps To Prepare For The New Overtime Rules

Greenbaum, Rowe, Smith & Davis LLP Client Alert, May 2016

Quoted, Better Balance, Better Business

N.J. Companies Explore Ways To Give Employees Balanced Lives

Enterprise, May 2016

Author, The Board Chair's Journey

Flexibility is key, but the mission never changes

Trustee, January 2016

Quoted, How to Hire and Fire

New Jersey Business, August 2015

Quoted, Saving for Retirement with Employer Sponsored Plans

New Jersey Business, January 2015

Quoted, Businesses holding on to health benefits as they consider Obamacare's changes

NJBIZ, June 17, 2013

Co-Author, New Jersey Family Leave Insurance

Greenbaum, Rowe, Smith & Davis LLP Client Alert, June 2009

Interviewed on the changes to COBRA enacted under The American Recovery and Reinvestment Act of 2009 (ARRA)

In Full View, a weekly web based global business news show, May 2009

Co-Author, What Every Employer Must Know About the New COBRA Subsidy

Greenbaum, Rowe, Smith & Davis LLP Client Alert, April 2009

Co-Author, The New Jersey Civil Union Act: What Every Employer Should Know

Greenbaum, Rowe, Smith & Davis LLP Employee Benefits Alert, January 2008

Co-Author, The New Jersey Civil Union Act: What Everyone Should Know

Out IN Jersey, Dec 2007/Jan 2008

Co-Author, New Deferred Compensation Rules Require Prompt Action by Sponsoring Employers

Greenbaum, Rowe, Smith & Davis Client Alert, Winter 2006

Co-Author, Self-Insured Health Plans: The Risks And Rewards?

Attorneys should understand the necessary documents and what is involved in administering the plans

New Jersey Law Journal, December 13, 2004

Co-Author, The New Jersey Domestic Partnership Act Becomes Law
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Spring 2004

Co-Author, COBRA and HIPAA Update - Traps for the Unwary Employers
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Winter 2004

Co-Author, What Employers Should Do In View of The Final HIPAA 'Privacy Rule'
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Winter 2003

Co-Author, IRS Issues Final Regulations Concerning IRA Minimum Distributions
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Spring 2002

Co-Author, Opportunities Provided Under New Federal Tax Legislation
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Fall 2001

Author, New Rules Concerning Distributions From Qualified Retirement Plans and Individual Retirement Accounts
Greenbaum, Rowe, Smith & Davis LLP Client Alert, Spring 2001

Co-Author, Retirement and Compensation Planning Considerations for Nonprofit Organizations
New Jersey Lawyer, February 1998

Author, Employee Stock Ownership Plans - Significant Opportunities Are Available
Metropolitan Corporate Counsel, July 1997

Author, Employee Benefits Compliance Reviews: How an Employer Should Get Started
Metropolitan Corporate Counsel, July 1996

Author, COBRA - What Every Employer Should Know
Metropolitan Corporate Counsel, September 1995

NEWS

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of New Jersey Super Lawyers
March 26, 2024

2024 Edition of *Best Lawyers* Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on "Ones to Watch" List; Five Selected for "Lawyer of the Year" Recognition
August 17, 2023

2023 Edition of *Best Lawyers* Recognizes 51 Attorneys in 36 Practice Areas: Nine Greenbaum Lawyers Recognized on "Ones to Watch" List; Seven Selected for "Lawyer of the Year" Recognition
August 18, 2022