

## IRS, DOL and PBGC Audit and Correction Counseling

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Attorneys in our Employee Benefits Group provide counseling support during an Internal Revenue Service (IRS) audit or Department of Labor (DOL) investigation concerning an employee benefit plan (including retirement, executive compensation and health and welfare plans or notice of a Pension Benefit Guaranty Corporation (PBGC) audit concerning plan termination or insurance premiums. Additionally, our Employee Benefits Group attorneys guide benefit plan sponsors through the various IRS and DOL correction programs to avoid significant penalties. Our attorneys have extensive experience working with federal and state authorities on behalf of their clients to yield successful results.

### Experience

Below is a representative sample of the types of services we provide our clients in connection with providing audit support:

- ✓ Facilitating and supporting clients during IRS, DOL or PBGC audits, including hosting the audit at our office thereby minimizing the operational intrusion of the audit.
- ✓ Handling all correspondence, phone calls and contact with the IRS, DOL or PBGC.
- ✓ Negotiating closing agreements or other resolutions of the audit or investigation.

Below is a representative sample of the types of services we provide our clients in connection with providing IRS and DOL correction program counseling:

- ✓ Navigating all aspects of the following correction programs, including negotiating penalties and applying creative correction methods and proposals:
- ✓ The Employee Plans Compliance Resolution System: This IRS program allows plan sponsors of most retirement plans to correct operational and plan document failures.

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- ✓ The Voluntary Fiduciary Correction Program: This DOL program allows a plan fiduciary who has breached his or her fiduciary duty to correct certain breaches and avoid substantial penalties.
- ✓ The Delinquent Filer Voluntary Compliance Program: This DOL program allows plan sponsors to submit delinquent required annual reports on Form 5500 for substantially reduced fees (when compared to the potential penalties for late filing).
- ✓ Preparing the necessary correction program applications, handling all related correspondence and communications with the applicable regulatory authority and drafting any corrective documents to resolve the matter.

Our attorneys prepare the necessary correction program applications, handle all related correspondence and communications with the applicable regulatory authority, and draft the necessary corrective documents to resolve the matter.

Our attorneys guide our clients through the correction process from start to finish.