

Kelly Haab-Tallitsch

St. Charles, IL

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PARTNER

Overview

Kelly regularly counsels clients on employee benefit and executive compensation matters, helping employers understand their obligations under the Affordable Care Act, ERISA and the Internal Revenue Code. Kelly advises employers on qualified and non-qualified retirement plans, employee stock ownership plans (ESOPs), health and welfare plans, wellness programs and severance plans. She creates and drafts plan documents, amendments and summary plan descriptions. Kelly also works with companies to design and draft effective executive compensation plans, including equity plans, nonqualified deferred compensation plans, supplemental executive retirement plans (SERPs) and executive employment agreements. Her experience also includes advising clients on ERISA fiduciary obligations, including plan investment issues and prohibited transactions, negotiating third party administrator service agreements, and correcting plan errors through the Department of Labor and Internal Revenue Service voluntary correction programs.

Prior to practicing law, Kelly oversaw the design and administration of all benefit and compensation programs for two large multinational companies. She managed the transition of all benefits and compensation programs during a spin-off and initial public offering. Before moving into a corporate role, Kelly spent ten years at a premier human resource consulting firm advising clients on executive compensation matters. Her background in corporate human resources allows her to understand her clients' needs. She knows how a legal matter can impact an organization and helps clients proactively address legal issues.

When she is not in the office she is with her husband and three kids, attending soccer games, dance performances and school events. She is also a volunteer Board Member for TriCity Family Services, a local community mental health agency.

SERVICES

- Agribusiness
- Banking & Finance
- Employee Benefits & Executive Compensation
- Employment Advice & Counsel
- Equal Pay Compliance
- Government Regulation, Audit & Compliance
- Labor, Employment, Benefits & Immigration
- Staffing Agency, Independent Contractor & Contingent Workforce
- Unfair Competition Counseling & Litigation
- Vaccine Mandates in the Workplace
- Wage & Hour

EDUCATION

Northern Illinois University
College of Law, J.D., 2013, *cum laude*

Loyola University Chicago,
M.S., Industrial Relations,
1995

University of Illinois at
Urbana-Champaign, B.S.,

Experience

Represented the Shareholders of a Risk Management Information System Provider for Health Care Organizations in the Sale of Their Business

Represented an Electronic Discovery and Digital Forensics Company in its Sale to a Private Equity Backed Platform

Served as Immigration and Labor and Employment Counsel for a Global Technology Company

Represented a Direct Marketing Company in a \$50 Million Cash-Out Merger and Sale to a Private-Equity Backed Competitor

Successfully Represented a Client During a Department of Labor Audit of its 4039b) Contribution Plan

Designed, Drafted and Implemented a Nonqualified Deferred Compensation Plan for Executives of a Tax-Exempt Entity in Compliance with Code Section 457

Successfully Established a new Employee Stock Ownership Plan (ESOP) for a Community Bank

Successfully Defended a Multi-State Transportation Company Against a Gender Discrimination Claim

Serves Multiple Ongoing Relationships as ERISA Counsel for Employee Stock Ownership Plans

Represented an ESOP Plan Sponsor Through Multiple ESOP Loan Refinance Transactions

Represented the Buyer in a Stock Purchase Transaction Involving the Seller's ESOP

Membership & Involvement

- Board of Directors, Human Resources Committee: TriCity Family Services
- Member: American Bar Association; Illinois Bar Association; DuPage County Bar Association; Kane County Bar Association; American Benefits Council; Trusted Advisors Council

Firm News

Amundsen Davis Promotes Three to Partner
February 24, 2020

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ADMISSIONS

Illinois

Alerts

What to Consider Before Implementing a Health Insurance Surcharge for Unvaccinated Employees

Families First Coronavirus Response Act: What It Means For Employers

Speaking Engagements

Survive and Thrive: What Businesses Must Do Now to Brace for a Recession Event, Amundsen Davis, Webcast, July 13, 2023

Eighth Annual Labor & Employment Fall Seminar Event, Amundsen Davis, Live-stream, September 21, 2022

Recruiting and Retaining Employees: Attracting Top Candidates While Avoiding Legal Pitfalls
Speaking Engagement, IARF Educational Conference & Expo; Springfield, IL, September 1, 2022

Post-Roe: What Employers Need to Know
Speaking Engagement, Illinois Chamber of Commerce, Webcast, August 16, 2022

The ABCIL Training Trust: A No Brainer for Participation
Webcast, March 24, 2022

How to be the Employer Everyone Wants to Work for in 2022: Recruitment, Retention and More
Event, Amundsen Davis's Complimentary Indiana Labor & Employment Conference; Indianapolis, IN, March 3, 2022

Recruiting & Retaining Employees in 2021: Being Creative while Avoiding Legal Pitfalls
Event, Amundsen Davis, Webcast, August 10, 2021

Tax Changes on the Horizon with the Biden Administration
Event, Amundsen Davis, Webcast, April 14, 2021

COVID-Related Updates for Employee Benefit Plans
Illinois Chamber of Commerce, Webcast, March 24, 2021

American Rescue Plan: What Employers Must Know Now
Event, Amundsen Davis, Webcast, March 23, 2021

Published Works

Illinois Employment Forms-Online Version
Publication, *Illinois Chamber of Commerce*, March 2021

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Model Employee Policies for Illinois Employees – 3rd Edition
Illinois Chamber of Commerce, 2021

Illinois Employment Law Handbook - 5th Edition
Illinois Chamber of Commerce, 2019

Blog Posts

SECURE Act 2.0 Makes Significant Changes to 401(k) and 403(b) Plans
Labor & Employment Law Update, January 17, 2023

The SEC Adopts Pay-Versus-Performance Disclosure Requirements for Executive Compensation—Do They Relate to You?
Labor & Employment Law Update, September 26, 2022

Employee Benefit Plan Considerations Post-Roe
Labor & Employment Law Update, July 7, 2022

Biden's Insurance Plan Mandate to Cover At-Home COVID-19 Tests, But Not for Employment Purposes
Labor & Employment Law Update, January 13, 2022

What to Consider Before Implementing a Health Insurance Surcharge for Unvaccinated Employees
Labor & Employment Law Update, September 7, 2021

Illinois Lawmakers Consider Expanding Mandatory Retirement Savings Program to Small Employers
Labor & Employment Law Update, April 30, 2021

The American Rescue Plan Act of 2021: What's in it for Employers?
Labor & Employment Law Update, March 11, 2021

IRS Issues Final Section 162(m) Regulations on Companies' Ability to Deduct Executive Pay
Labor & Employment Law Update, March 2, 2021

COVID-19 Relief Bill: FFCRA Leave Mandate Not Extended; Tax Credits Available for Voluntary Leave
Labor & Employment Law Update, December 22, 2020

IRS Issues Limited Guidance on Payroll Tax Deferral Option
Labor & Employment Law Update, August 31, 2020

Benefit Plan Deadlines Extended – COBRA, Special Enrollment, Plan Disclosures and More
Labor & Employment Law Update, May 11, 2020

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You Didn't Get Your PPP Loan – What Now?

Labor & Employment Law Update, April 22, 2020

Retirement Plan Relief for Employees under the CARES Act – Expanded Distributions and Loans

Labor & Employment Law Update, April 7, 2020

Families First Coronavirus Response Act: What It Means For Employers

Labor & Employment Law Update, March 15, 2020

The SECURE Act Part 1: Immediate Changes to Retirement Plans

Labor & Employment Law Update, February 18, 2020

IRS Updates 401(k) Hardship Distribution Rules – Are You Ready?

Labor & Employment Law Update, November 21, 2019

Illinois Mandatory Retirement Program Enrollment Deadlines Coming Later this Year

Labor & Employment Law Update, March 27, 2019

Future of Illinois' Mandatory Retirement Program Uncertain

Labor & Employment Law Update, September 12, 2018

Association Health Plans Expanded Under DOL Final Rule

Labor & Employment Law Update, July 10, 2018

Tax Bill Cuts Deduction for Confidential Sexual Harassment & Abuse Settlements

Labor & Employment Law Update, January 3, 2018

IRS Gives Employers a Welcome Christmas Gift

Labor & Employment Law Update, December 28, 2017

ACA Employer Mandate Penalty Letters Coming Before Year-End!

Labor & Employment Law Update, December 7, 2017

Portions of the DOL Fiduciary Rule to go Forward on June 9, 2017

Labor & Employment Law Update, May 24, 2017

Premium Reimbursement Plans No Longer Off the Table for Small Employers

Labor & Employment Law Update, March 31, 2017

President Signs Executive Order on the Affordable Care Act

Labor & Employment Law Update, January 23, 2017

ACA Whistleblower Complaint Procedures

Labor & Employment Law Update, November 3, 2016

Cash-in-Lieu of Benefits May be Subject to Overtime

Labor & Employment Law Update, August 25, 2016

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Penalty for Failure to File Form 5500 Almost Doubles

Labor & Employment Law Update, July 29, 2016

Overpaying for Company Stock Lands ESOP Fiduciaries in Hot Water

Labor & Employment Law Update, April 7, 2016

ACA Information Reporting Deadlines Extended by the IRS

Labor & Employment Law Update, December 29, 2015

"Cadillac Tax" on Health Plans Delayed Until 2020

Labor & Employment Law Update, December 23, 2015

New Guidance: A Reminder the Cadillac Tax is Still Looming

Labor & Employment Law Update, August 31, 2015

Penalties Doubled for Affordable Care Act Reporting Noncompliance

Labor & Employment Law Update, July 9, 2015

BREAKING NEWS: Supreme Court Upholds Affordable Care Act Tax Credits

Labor & Employment Law Update, June 25, 2015

Summary Plan Description Posted on Company Intranet Does Not Satisfy ERISA
Electronic Disclosure Rules

Labor & Employment Law Update, May 28, 2015

IRS Begins Implementation of the ACA "Cadillac Tax" for High-Cost Health Plans

Labor & Employment Law Update, April 10, 2015

Collectively Bargained Retiree Health Benefits for Life? U.S. Supreme Courts Says
Ordinary Contract Principles Apply

Labor & Employment Law Update, February 19, 2015

Illinois Governor Signs Bill Creating Mandatory Retirement Program for
Illinois Businesses

Labor & Employment Law Update, January 5, 2015

ACA Employer Reporting Obligations are Effective January 1, 2015 – Are
You Ready?

Labor & Employment Law Update, October 14, 2014

Supreme Court Rejects the Presumption of Prudence in Employer "Stock Drop"
Claims Under ERISA

Labor & Employment Law Update, August 22, 2014

Hobby Lobby May Have Caught our Attention, but Halbig and King are the ACA
Cases to Watch

Labor & Employment Law Update, July 29, 2014

Do Your COBRA Notices Comply with the ACA?

Labor & Employment Law Update, May 29, 2014

Retirement Plans Must be Amended to Recognize Same-Sex Marriages by
December 31, 2014

Labor & Employment Law Update, April 29, 2014

President Obama Directs United States Department of Labor to Revise Wage &
Hour Law

Labor & Employment Law Update, March 13, 2014

Let the Data Collection Begin! Final Rules for Employer Reporting under the ACA

Labor & Employment Law Update, March 12, 2014

Spring Cleaning? It's Time for Your Benefit Plan Housekeeping Too

Labor & Employment Law Update, March 5, 2014

An ERISA Plan's Contractual Limitations Period Is Enforceable, Says The U.S.
Supreme Court

Labor & Employment Law Update, January 9, 2014

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