

/* The federal law which provides protection for employees in regard to their benefits of employment is ERISA, which follows. Section 510 of ERISA (29 USC 1140) provides limitations of benefit changes, and, employees have sued their employers when health benefits were eliminated for HIV. These claims have been rejected. We provide this section from ERISA as well as the index to ERISA. */

Chapter 18: EMPLOYEE RETIREMENT INCOME SECURITY PROGRAM

Section

PROTECTION OF EMPLOYEE BENEFIT RIGHTS GENERAL PROVISIONS

- 1001. Congressional findings and declaration of policy
- 1001a. Additional Congressional findings and declaration of policy
- 1001b. Findings and declaration of policy
- 1002. Definitions
- 1003. Coverage

REGULATORY PROVISIONS REPORTING AND DISCLOSURE

- 1021. Duty of disclosure and reporting
- 1022. Plan description and summary plan description
- 1023. Annual reports
- 1024. Filing and furnishing of information
- 1025. Reporting of participant's benefit rights
- 1026. Reports made public information
- 1027. Retention of records
- 1028. Reliance on administrative interpretations
- 1029. Forms

1030. Alternative methods of compliance

1031. Repeal and effective date

PARTICIPATION AND VESTING

1051. Coverage

1052. Minimum participation standards

1053. Minimum vesting standards

1054. Benefit accrual requirements

1055. Requirement of joint and survivor annuity and preretirement survivor annuity

1056. Form and payment of benefits

1057. Temporary variances from certain vesting requirements

1058. Mergers and consolidations of plans or transfers of plan assets

1059. Recordkeeping and reporting requirements

1060. Multiple employer plans

1061. Effective dates

FUNDING

1081. Coverage

1082. Minimum funding standards

1083. Variance from minimum funding standard

1084. Extension of amortization periods

1085. Alternative minimum funding standard

1085a. Security for waivers of minimum funding standard and extensions of amortization period

1085b. Security required upon adoption of plan amendment resulting in significant underfunding

1086. Effective dates

FIDUCIARY RESPONSIBILITY

1101. Coverage

1102. Establishment of plan

1103. Establishment of trust

1104. Fiduciary duties

1105. Liability for breach by co-fiduciary

1106. Prohibited transactions

1107. Limitation with respect to acquisition and holding of employer securities and employer real property by certain plans

1108. Exemptions from prohibited transactions

1109. Liability for breach of fiduciary duty

1110. Exculpatory provisions; insurance

1111. Persons prohibited from holding certain positions

1112. Bonding

1113. Limitation of actions

1114. Effective date

ADMINISTRATION AND ENFORCEMENT

1131. Criminal penalties

1132. Civil enforcement

1133. Claims procedure

1134. Investigative authority

1135. Regulations

1136. Coordination and responsibility of agencies enforcing Employee Retirement Income Security Act and related Federal laws.

1137. Administration

1138. Appropriations

1139. Separability of provisions

1140. Interference with protected rights

1141. Coercive interference

1142. Advisory Council on Employee Welfare and Pension Benefit Plans

1143. Research, studies, and reports

1143a. Studies by Comptroller General

1144. Other laws

1145. Delinquent contributions

GROUP HEALTH PLANS

1161. Plans must provide continuation coverage to certain individuals

1162. Continuation coverage

1163. Qualifying event

1164. Applicable premium

1165. Election

1166. Notice requirements

1167. Definitions and special rules

1168. Regulations

1169. Additional standards for group health plans

1170-1200. [Reserved]

JURISDICTION, ADMINISTRATION, ENFORCEMENT; JOINT
PENSION TASK FORCE, ETC.

JURISDICTION, ADMINISTRATION, AND ENFORCEMENT

1201. Procedures in connection with the issuance of
certain determination letters by the Secretary of the
Treasury covering qualifications under 26 USC 1 et seq.

1202. Procedures with respect to continued
compliance with Internal Revenue requirements relating to
participation, vesting, and funding standards

1203. Procedures in connection with prohibited
transactions

1204. Coordination between the Department of the
Treasury and the Department of Labor

JOINT PENSION, PROFIT-SHARING, AND EMPLOYEE STOCK OWNERSHIP
PLAN TASK FORCE; STUDIES JOINT PENSION, PROFIT-SHARING, AND
EMPLOYEE STOCK OWNERSHIP PLAN TASK FORCE

1221. Establishment

1222. Duties

OTHER STUDIES

1231. Congressional study

1232. Protection for employees under Federal
procurement, construction, and research contracts and grants

ENROLLMENT OF ACTUARIES

1241. Joint Board for the Enrollment of Actuaries

1242. Enrollment by Board; standards and
qualifications; suspension or termination of enrollment

PLAN TERMINATION INSURANCE
PENSION BENEFIT GUARANTY CORPORATION

1301. Definitions

- 1302. Pension Benefit Guaranty Corporation
- 1303. Operation of corporation
- 1304. [Repealed]
- 1305. Pension benefit guaranty funds
- 1306. Premium rates
- 1307. Payment of premiums
- 1308. Annual report by the corporation
- 1309. Portability assistance

COVERAGE

- 1321. Coverage
- 1322. Single-employer plan benefits guaranteed
- 1322a. Multiemployer plan benefits guaranteed
- 1322b. Aggregate limit on benefits guaranteed;
criteria applicable
- 1323. Plan fiduciaries

TERMINATIONS

- 1341. Termination of single-employer plans
- 1341a. Termination of multiemployer plans
- 1342. Institution of termination proceedings by the
corporation
- 1343. Reportable events
- 1344. Allocation of assets
- 1345. Recapture of payments
- 1346. Reports to trustee

1347. Restoration of plans

1348. Termination date

1349. [Repealed]

LIABILITY

1361. Amounts payable by corporation

1362. Liability for termination of single-employer plans under a distress termination or a termination by corporation

1363. Liability of substantial employer for withdrawal from single-employer plans under multiple controlled groups

1364. Liability on termination of single-employer plans under multiple controlled groups

1365. Annual report of plan administrator

1366. Annual notification to substantial employers

1367. Recovery of liability for plan termination

1368. Lien for liability

1369. Treatment of transactions to evade liability; effect of corporate reorganization

1370. Enforcement authority relating to terminations of single-employer plans

1371. Penalty for failure to timely provide required information

SPECIAL PROVISIONS FOR MULTIEMPLOYER PLANS EMPLOYER WITHDRAWALS

1381. Withdrawal liability established; criteria and definitions

1382. Determination and collection of liability; notification of employer

- 1383. Complete withdrawal
- 1384. Sale of assets
- 1385. Partial withdrawals
- 1386. Adjustment for partial withdrawal; determination of amount; reduction for partial withdrawal liability; procedures applicable
- 1387. Reduction or waiver of complete withdrawal liability; procedures and standards applicable
- 1388. Reduction of partial withdrawal liability
- 1389. De minimis rule
- 1390. Nonapplicability of withdrawal liability for certain temporary contribution obligation periods; exception
- 1391. Methods for computing withdrawal liability
- 1392. Obligation to contribute
- 1393. Actuarial assumptions
- 1394. Application of plan amendments; exception
- 1395. Plan notification to corporation of potentially significant withdrawals
- 1396. Special rules for plans under 26 USC 404(c)
- 1397. Application of 29 USC 1381 et seq. in case of certain pre-1980 withdrawals; adjustment of covered plan
- 1398. Withdrawal not to occur merely because of change in business form or suspension of contributions during labor dispute
- 1399. Notice, collection, etc., of withdrawal liability
- 1400. Approval of amendments
- 1401. Resolution of disputes

- 1402. Reimbursements for uncollectible withdrawal liability
- 1403. Withdrawal liability payment fund
- 1404. Alternative method of withdrawal liability payments
- 1405. Limitation on withdrawal liability

MERGER OR TRANSFER OF PLAN ASSETS OR LIABILITIES

- 1411. Mergers and transfers between multiemployer plans
- 1412. Transfers between a multiemployer plan and a single-employer plan
- 1413. Partition
- 1414. Asset transfer rules
- 1415. Transfers pursuant to change in bargaining representative

REORGANIZATION; MINIMUM CONTRIBUTION REQUIREMENT FOR MULTIEMPLOYER PLANS

- 1421. Reorganization status
- 1422. Notice of reorganization and funding requirements
- 1423. Minimum contribution requirement
- 1424. Overburden credit against minimum contribution requirement
- 1425. Adjustments in accrued benefits
- 1426. Insolvent plans

FINANCIAL ASSISTANCE

- 1431. Assistance by corporation

BENEFITS AFTER TERMINATION

1441. Benefits under certain terminated plans

ENFORCEMENT

1451. Civil actions

1452. Penalty for failure to provide notice

1453. Election of plan status

TRANSITION RULES AND EFFECTIVE DATES

1461. Effective date; special rules

29 USC 1140. Interference with protected rights (This is section 510 of ERISA)

It shall be unlawful for any person to discharge, fine, suspend, expel, discipline, or discriminate against a participant or beneficiary for exercising any right to which he is entitled under the provisions of an employee benefit plan, this title, section 3001 [29 USC 1201], or the Welfare and Pension Plans Disclosure Act, or for the purpose of interfering with the attainment of any right to which such participant may become entitled under the plan, this title, or the Welfare and Pension Plans Disclosure Act. It shall be unlawful for any person to discharge, fine, suspend, expel, or discriminate against any person because he has given information or has testified or is about to testify in any inquiry or proceeding relating to this Act or the Welfare and Pension Plans Disclosure Act. The provisions of section 502 [29 USC 1132] shall be applicable in the enforcement of this section.