

Melissa B. Kurtzman

Shareholder

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Practice Areas

Employee Benefits
Business Restructuring and M&A
Higher Education
Retail
Contractors, Staffing and Contingent Workers

Overview

Melissa B. Kurtzman focuses her practice on representing management in a variety of employee benefits matters, including the design and implementation of qualified and non-qualified retirement plans and welfare and fringe benefit programs, employee benefits tax matters and employee benefits in mergers and acquisitions. She also provides advice on:

- Employee benefit plan administration
- Reporting and disclosure obligations
- Fiduciary responsibilities
- Internal Revenue Service and Department of Labor correction programs
- Contingent workforce issues
- The efficient design of retirement and welfare plans

Melissa acted as an expert witness in a federal bankruptcy matter in connection with qualified plan issues. Additionally, she represents plan sponsors in employee benefit plan IRS and DOL audits. She assists plan sponsors in self-audits of employee benefits plans prior to or in connection with government audits. Her benefits clients include the following types of companies and industries:

- Universities
- Retail
- Contingent workforces

- Legal services
- Accounting services
- Construction
- Airlines
- Healthcare
- Transportation
- Manufacturing
- Financial services
- Non-profit organizations
- Consulting services

Melissa is a member of Littler Mendelson's Employee Benefits and Executive Compensation Practice Group.

Prior to joining Littler, Melissa served as a partner at Wolf Block LLP where she focused on employee benefits. She was also the former director of ERISA compliance at a large retirement plan administration company.

Professional and Community Affiliations

- Board Member, Benefits Council of Greater Philadelphia, American Society of Pension Professionals and Actuaries
- Member, The Mid-Atlantic Pension Liaison Group
- Member, Employee Benefits Section, Philadelphia Bar Association
- Member, Tax and Business sections, American Bar Association
- Member, Compensation and Benefits Committee, The Kendal Corporation, Kennett Square, PA
- Former Board Member, Interact Theatre Company
- Former Board Member, Children's Village Child Care Center of Philadelphia

Events & Speaking Engagements

Face the (Cyber) Nation - Employee Benefits

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

Secure Act 2.0 Got You Feeling Insecure? Face the 401(k) Challenges and Find Workable Solutions

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Benefits Jeopardy: Incentives and Benefits for the Modern Workforce

Littler Executive Employer Conference

May 6, 2022

Fiduciary Best Practices

March 4, 2021

2020 Virtual Benefits Symposium: Addressing Issues in the New Normal

October 20, 2020

2020 Virtual Benefits Symposium: Addressing Issues in the New Normal

October 1, 2020

Reopening and Rehiring – What Are the Most Critical Employee Benefits and Executive Compensation Issues?

July 9, 2020

SECURE and CARES Acts - Impacts on Your Retirement Plan

Client Webinar

May 28, 2020

SECURE and CARES Act Impact on Your Retirement

Client Webinar

May 28, 2020

A Fiduciary's Guide to the COVID-19 Correction and Beyond

CE Webinar

May 14, 2020

How the Secure Act Will Impact Your Retirement Plans

February 6, 2020

Roundtable

2019 New Jersey Healthcare and Retirement Plan Summit

October 8, 2019

The A Team: Adding Value to Your Clients

PICPA Employee Benefit Plans Conference

May 21, 2019

MEWAs, MEPs, PEO and Outsourcing

2019 AICPA Employee Benefit Plans Conference, New Orleans, LA

May 8, 2019

Anti-Assignment Rules – Procedures, Legal and Tax Issues

2019 AICPA Employee Benefit Plans Conference, New Orleans, LA

May 7, 2019

Anatomy of a DOL Retirement Plan Investigation

April 4, 2019

Anatomy of an IRS Retirement Plan Audit

March 7, 2019

DOL Developments | Multiple Employer Retirement Plans, Association Health Plans and IRS Proposed Hardship Regulations

December 6, 2018

Ask the Experts – Local Professional Panel

2018 New Jersey Fiduciary Summit

October 3, 2018

2018 Annual Employee Benefits and Executive Compensation Summit

New York, NY

June 21, 2018

How to Properly Conduct a Retirement Plan Committee Meeting

June 7, 2018

ERISA Compliance in 2018: Changes, Observations and Current Issues

Fairport, NY

May 9, 2018

The Constantly Shifting Sands of Employee Benefits: How to Level the Landscape

Littler Executive Employer, Phoenix, AZ

May 3, 2018

2018 Annual Employee Benefits and Executive Compensation Summit

Los Angeles, CA

January 11, 2018

What's in Your Fiduciary Toolkit? A Guide to Good Fiduciary Governance

Littler's Annual Employee Benefits and Executive Compensation Summit, New York, NY

June 15, 2017

The Top 10 Employee Benefits and Executive Compensation Issues in 2017

May 11, 2017

Retirement Plans Under Attack by Plan Participants and Government Agencies: An Action Plan for Employers

2016 Employee Benefits Regional Roadshow, Charlotte, NC

July 28, 2016

Retirement Plans Under Attack by Plan Participants and Government Agencies: An Action Plan for Employers

2016 Employee Benefits Regional Roadshow, New York, NY

June 15, 2016

Retirement Plans Under Attack by Plan Participants and Government Agencies

Withum Audit Tax Advisory, Somerset Palace, Somerset, NJ

May 26, 2016

Dealing with Plans Under Attack

NJCPA Conference

May 24, 2016

Employee Benefits and Executive Compensation Issues on Termination of Employment

Philadelphia, PA

May 12, 2016

Retirement Plans Under Attack by Plan Participants and Government Agencies: An Action Plan for Employers

May 5, 2016

New Guidance Requires Greater Fiduciary Oversight of Retirement Plans

April 26, 2016

2016 Employee Benefits Update - Rochester

Fairport, NY

January 28, 2016

2016 Employee Benefits Summit - Southern California

Los Angeles, CA

January 14, 2016

Why Quibble with Tibble? The Supreme Court Reminds Fiduciaries of the Wide Scope of Their Duties

Littler Mendelson, New York, NY

June 9, 2015

Benefits Document Drafting is Key to Staying Out of Court

Littler Mendelson, Phoenix, AZ

May 8, 2015

Pension Plan Lump Sum Windows: Legal Issues

Pension Lump Sum Elections Event - CREWS, Conshohocken, PA
April 28, 2015

ERISA Budget Accounts

Internal Revenue Service (IRS), Baltimore, MD
February 26, 2015

Employee Plans Compliance Resolution System (EPCRS)

25th Annual Benefits Compliance Conference - SouthWest Benefits Association, Dallas, TX
November 13, 2014

How To Prepare For and Handle DOL Audits

11th Annual Fiduciary Services Retirement Plans Conference - Banco Popular de Puerto Rico, Inc., San Juan, Puerto Rico
October 24, 2014

2014 Employee Benefits Summit

Atlanta, GA
June 19, 2014

What Plan Administrators Should Be Doing Now To Prepare For A 401(k) Or 403(b) Plan Audit

Littler Mendelson, Atlanta, GA
June 19, 2014

The Affordable Care Act: Preparation for 2015 & Beyond

Philadelphia, PA
May 20, 2014

Sandy Beach and a Pina Colada? Think Again. The Challenges and Opportunities of Doing Business in Puerto Rico

Littler Mendelson, Phoenix, AZ
May 8, 2014

Overview of ERISA Fiduciary Responsibilities

2014 New Jersey Fiduciary Summit - Xponential Growth Solutions (XGS), Bridgewater, NJ
April 24, 2014

The Shifting Landscape of Employee Benefits – Imperatives for 2013 and Beyond

Boston, MA
September 19, 2013

Common Retirement Plan Deficiencies and Corrective Actions

Client Presentation - Fiduciary Fixes: A Guide to Correcting 401(K) Issues

August 28, 2013

The Affordable Care Act — Critical Next Steps for Employers

Philadelphia, PA

May 22, 2013

Trials and Tribulations of Auto Enrollment

Mid-Atlantic Benefits Conference - Greater Philadelphia ASPPA Benefits Council, Philadelphia, PA

May 16-17, 2013

Oops...How did that happen? What do we do now?

Mid-Atlantic Benefits Conference - Greater Philadelphia ASPPA Benefits Council, Philadelphia, PA

May 16-17, 2013

Rockin' 401(k) Plans: The Hot Issues

Littler Mendelson, Dallas, TX

April 24, 2013

Best Practices for Navigating 401(k) Fiduciary Challenges

Littler Mendelson, New York, NY

April 18, 2013

What Every Plan Sponsor Should Know From A Legal And Fiduciary Standpoint

Wharton Retirement Consultants, Philadelphia, PA

March 27, 2013

The Flood of Things a Plan Committee Must Do Differently in 2012

23rd Annual Employee Benefits Conference for Practitioners and Plan Sponsors - SouthWest Benefits Association, Dallas, TX

November 15, 2012

The Shifting Landscape of Employee Benefits – Imperatives for 2012 and Beyond

Los Angeles, CA

October 11, 2012

Retirement Plan Summit 2012

New York, NY

September 28, 2012

Retirement Plan Fiduciary Best Practices

Philadelphia, PA

September 20, 2012

Healthcare: Obamacare and Beyond

National Association of Professional Employer Organizations (NAPEO), Washington, D.C.

May 21, 2012

Fiduciary Update for 401(k) Sponsors

The Philadelphia Group, West Conshohocken, PA

May 16, 2012

Guiding Your Company through Dramatic Changes: The Critical Legal/HR Role in Major Transactions

Littler Mendelson, Scottsdale, AZ

May 11, 2012

Steering Clear of Benefits Litigation through Better Document Drafting

Littler Mendelson, Scottsdale, AZ

May 10, 2012

Steering Clear of ERISA Litigation Through Better Document Drafting

Association of Corporate Counsel, Delaware Valley (DELVACCA) Chapter, Philadelphia, PA

April 16, 2012

The Corporate Retirement Plan Industry: Regulatory Changes and Fiduciary Best Practices

Drexel University - Philadelphia, PA

April 12, 2012

Employee Benefits The Shifting Landscape of Employee Benefits – Imperatives for 2012

New York, NY

March 27, 2012

Pressing Issues Facing 401(k) Plan Sponsors in 2012: Vendor Agreements, Participant Disclosures, IRS/DOL Audits and Inquiries, and Other Nuts and Bolts

NFP Monday Mentoring - BenefitsPartners

March 26, 2012

Retirement Session: Regulatory Update and How New Regulations May Open Doors

Spring Conference - National Financial Partners, Dallas, TX

March 5, 2012

ERISA Rule 408(b)(2) - Full Disclosure of Fees in Your 401(k)

Philadelphia, PA

November 17, 2011

2011 and Beyond: Maximizing Your Employee Benefit Plans During Uncertain Legislative Times

Philadelphia, PA

October 12, 2011

Pressing Issues Facing 401(k) Plan Sponsors and Service Providers in 2011 and 2012: Legislative Update, Vendor Agreements, Participant Disclosures, IRS/DOL Audits, and Other Nuts and Bolts

Transamerica Retirement Services Conference, Lutherville, MD

September 14, 2011

Pressing Issues Facing 401(k) Plan Sponsors and Service Providers in 2011 and 2012: Legislative Update, Vendor Agreements, Participant Disclosures, IRS/DOL Audits, and Other Nuts and Bolts

Transamerica Retirement Services Conference, Washington, DC

September 13, 2011

New York Benefits Summit

New York, NY

February 10, 2011

Update on Employee Benefits Law

DeVry University

February 2011

Healthcare Reform: Are You Ready for 2011?

Valiant Conference, Atlanta, GA

November 2010

Healthcare Reform

Littler Mendelson Webinar

October 2010

Healthcare Reform Including Grandfathering

Thesco Benefits Conference, New York, NY

September 2010

Healthcare Bill Review for Contingent Workforce Issues

The 2010 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

March 2010

Best Practices for Operating a Retirement Plan

Littler Seminar, Philadelphia, PA

November 2009

Retirement Plan Update for Tax-Exempts

Penjerdel Employee Benefits and Compensation Association Conference, Philadelphia, PA
September 2009

Retirement Plan Issues for Tax Exempt Organization

PEBA Conference featuring TIAA-CREF, Philadelphia, PA
September 2009

Books & Book Chapters

, Pensions & Retirement Plans - USA, Getting the Deal Through, Law Business Research Ltd., chapter co-author: Steven J. Friedman, 2013-2014, 2016

Education

LL.M. in Taxation, The George Washington University Law Center, 1988
J.D., University of Toledo College of Law, 1985
B.A., Michigan State University, 1983

Bar Admissions

Pennsylvania
New Jersey
Ohio
District of Columbia

Courts

U.S. Tax Court

Publications & Press

Ten Common Benefits Issues Related to the COVID-19 Pandemic, Employee Furloughs and Reductions in Force

Little ASAP
April 6, 2020

Employee Benefit and Executive Compensation Provisions in the CARES Act

Little ASAP
March 30, 2020

Pensions and Retirement Plans 2019

Lexology
February 3, 2020

Pensions and retirement plans: primary laws and regulations

In the News

February 1, 2020

Striking Down Decades-Old Precedent, Ninth Circuit Rules That ERISA Breach of Fiduciary Duty Claims May Be Arbitrated

Littler ASAP

August 26, 2019

DOL Rule Imposes Significant Increases in Penalties for Employee Benefit Plan Violations

Littler ASAP

July 8, 2016

Dissecting the Department of Labor's Final Fiduciary Rule

Littler Podcast

May 24, 2016

Workplace Policy Institute Insider Report — May 2016

Littler Report

May 2, 2016

Pensions & Retirement Plans 2016

External Publication

May 1, 2016

Department of Labor Issues Final Fiduciary Rule

Littler ASAP

April 7, 2016

New Compliance Questions in IRS Form 5500 Warrant Screening Reviews of 401(K) Plans During 2016

Littler ASAP

March 10, 2016

Department of Labor Issues Sweeping Fiduciary Rule Proposal

Littler ASAP

April 22, 2015

Supreme Court Axes "Presumption of Prudence" in ESOP Stock-Drop Cases

Littler ASAP

July 7, 2014

IRS and SSA Both Announce Cost of Living Adjustments for Tax Year 2014

Littler ASAP

November 1, 2013

Littler's Healthcare Reform Consulting Group Addresses Affordable Care Act Compliance

Press Release

May 9, 2013

IRS Publishes Interim Report on Section 401(k) Compliance Check Questionnaire

Littler ASAP

February 7, 2012

401(k) Basics

Littler Employer

April 2011

IRS/DOL Steps Up Enforcement Efforts On Qualified Retirement Plans

March 2011

The Littler Ten: Employment, Labor and Benefit Law Trends for Navigating the New Decade

Littler Report

September 30, 2010

New Guidance on Waiver Process for Annual Dollar Limits

Littler ASAP

September 10, 2010

Grandfathered Health Plan Regulations

External Publication

August 23, 2010

Healthcare Reform: Long-Awaited "Grandfathered" Regulations Released – What Do Employers Need to Know?

Littler ASAP

June 17, 2010

First Glimpse at Grandfathered Health Plans Regulations

June 2010

Healthcare Reform

Littler ASAP

November 2009

Retirement Plans Must Be Amended Before Year End

Littler ASAP

October 29, 2009

IRS Provides Trends, Tips, Internal Control Questionnaire and Plan Documentation Guide Online

Littler ASAP

June 16, 2009

Littler Strengthens Employee Benefits Practice with Addition of Warren E. Fusfeld and Melissa B. Kurtzman to the Firm's Philadelphia Office

Press Release

March 20, 2009