

ARTHUR T. PHILLIPS

Employee Benefits

1002 East Lexington Blvd, Whitefish Bay, WI 53217

(414) 978-5382 / aphillips@whdlaw.com



EXPERIENCE PROFILE

Arthur Phillips is a shareholder in the Milwaukee office of Whyte Hirschboeck Dudek S.C., where he focuses his practice on employee benefits law and serves as Chair of the firm's Recruiting Committee. Arthur's diverse experience in the area of employee benefits law includes advising clients through technical tax, ERISA and regulatory compliance matters. In addition, he has interfaced directly with employees, investment managers, trust officers, custodians, insurance providers, insurance brokers and third-party administrators relating to the selection, negotiation, communication and implementation of employee benefit programs.

Arthur has represented Marquette University as Senior Associate General Counsel and a multi-state restaurant company as Vice President – Administration & General Counsel. In each role, he advised organizations through complex and strategic business transactions involving various legal disciplines, including employee benefits, human resources, corporate governance, taxation, regulatory compliance and risk management. Arthur began his career with two of the “Big 4” accounting firms as an employee benefits and tax consultant.

Selected experiences related to employee benefit matters include the following:

- Design, draft and review executive compensation arrangements, including deferred compensation, equity-based compensation plans and severance plans.
- Guide clients through voluntary employee benefit correction programs, such as the Delinquent Filing Voluntary Correction Program (DFVCP) and Voluntary Fiduciary Correction Program (VFCP).
- Provide advice relating to payroll tax obligations and reporting arising from executive compensation arrangements and fringe benefit programs.
- Review investment management agreements, investment policies and employment communication materials.

ARTHUR T. PHILLIPS, *continued****Experience Profile, continued***

- Represent clients during IRS and DOL examinations.
- Draft, review and negotiate third-party administrative services agreements.
- Interpret and advise with respect to plan design, documentation, reporting and disclosure obligations required under the Internal Revenue Code (IRC) and the Employee Retirement Income Security Act (ERISA).
- Provide technical assistance relating to employee benefits issues arising out of corporate acquisitions and divestitures.
- Perform systematic compliance reviews for qualified retirement plans, designed to detect issues related to plan administration, plan documentation, prohibited transactions and fiduciary duties.
- Design employee benefit programs for rank-and-file, management and executive level employees, including selecting, negotiating and purchasing insurance programs.
- Monitor employee benefit plan administration, including participant enrollment, accounting, investment performance and third party administrator performance.

PROFESSIONAL PROFILE***Education***

- Marquette University Law School, J.D., 1990; Member, Marquette Law Review
- University of Notre Dame - BBA, Accountancy, 1987
- Marquette University Leadership & Management Institute - Certificate, 2005
- University of Miami - Certificate, Strategic Human Resource Management, 1998

Admissions

- State Bar of Wisconsin
- United States District Court, Eastern District of Wisconsin

Professional Associations

- Member, Diverse Partners Network
- International Foundation of Employee Benefit Plans
- State Bar of Wisconsin

Community Involvement

- Board of Directors, Goodwill Industries of Southeastern Wisconsin, Inc.
- Advisory Board Member, Cardinal Stritch University Leadership Center
- Commissioner, Milwaukee County Civil Service Commission
- Member, Marquette Law School Alumni Board
- Member, Marquette University - Law Alumni Board Diversity Recruitment Committee
- Director, Legacy Redevelopment Corporation
- Corporate Secretary, Milwaukee Tennis Classic

Articles and Presentations

- *IRS Issues College and University Compliance Report - A Prelude to Enforcement Activities*, WHD On Campus Higher Education Law Newsletter, May 2013
- *Don't Take the Summer Off! Plan Now for the Affordable Care Act's Impact on Adjunct Faculty and Employees Not Working During the Summer*, WHD On Campus Higher Education Law Newsletter, April 2013
- *Campus Student Health Center Providers Must Exercise Care Before Disclosing Threats of Violence*, WHD On Campus Higher Education Law Newsletter, February 2013
- *Health Care Reform Through the Lens of an Employer: A Perspective on Post-Election Implications*, presenter, WHD Milwaukee Annual Human Resources Conference, December 4, 2012
- *The Affordable Care Act: What Employers Need to Know Now*, presenter, WHD Employee Benefits Seminar, October 4, 2012
- *I'm a Fiduciary, Get Me Out of Here!*, presenter, WHD Madison Annual Human Resources Law Conference, April 17, 2012
- *Third-party Plan Administrators Must Be Selected—and Monitored—With Care; Failure to do so may violate plan fiduciary obligations*, WHD On Campus Higher Education Law Newsletter, September 2012
- *Third-party Plan Administrators Must Be Selected—and Monitored—With Care; Failure to do so may violate ERISA fiduciary obligations*, WHD Fiduciary Counsel Newsletter, September 2012
- *Tussey v. ABB, Inc.—A Case Study in Breach in ERISA Fiduciary Duty*, WHD Fiduciary Counsel Newsletter, June 2012
- *I'm a Fiduciary, Get Me Out of Here!*, presenter, WHD Milwaukee Annual Human Resources Law Conference, October 25, 2011
- *College and Universities May Voluntarily Reclassify Workers as Employees Under New IRS Settlement Program*, WHD On Campus Higher Education Law Newsletter, October 2011

ARTHUR T. PHILLIPS, *continued*

Articles and Presentations, continued

- *An Update on Employer Retirement Plan Fiduciary Responsibilities*, presenter, Whyte Hirschboeck Dudek Joint Fiduciary Seminar, August 18, 2011
- *Why Business Owners Need to Look Ahead and Plan for the Future - The Healthcare Reform Act*, presenter, US Bank Seminar, February 23, 2011
- *What Every Business Should Know About Healthcare Reform*, American Health Lawyers Association, October 14, 2010
- *Yet Another Stopgap: COBRA Extension Presents Administrative Challenges (Expect More)*, Whyte Hirschboeck Dudek Special Report, May 2010
- *New Guidance on Health Plan Coverage for Adult Children*, Whyte Hirschboeck Dudek Special Report, May 2010
- *Constant Change: COBRA Subsidy Extended/New Self-Reporting Obligations*, Whyte Hirschboeck Dudek Special Report, January 2010
- *Health Plan Compliance – Plan Amendments Could be the Prescription*, Whyte Hirschboeck Dudek Workplace Newsletter, Summer 2009
- *Fiduciary Update*, presenter, 4th Annual Employee Benefits Update, Wisconsin State Bar, August 21, 2008
- *The New Form 990 for 2008: Prepare Now, File Later*, Spotlight: Credit Union Law Newsletter, Spring 2008
- *Employment and Civil Rights Law Panel*, Thurgood Marshall Leadership Institute, New York, November 5, 2007
- *Diversity in the Workplace – A Look Ahead*, presenter, WHD Annual Human Resources Law Conference, October 18, 2007
- *Pension Protection Act of 2006 Update*, presenter, 3rd Annual Employee Benefits Update, Wisconsin State Bar, August 21, 2007
- *IRS Announces Relief to Schools and Teachers*, Whyte Hirschboeck Dudek Special Report, August 2007
- *Electronic Communications: HR and Benefits Administrators May Improve Efficiency under IRS Final Reg*, Whyte Hirschboeck Dudek Workplace Newsletter, Summer 2007
- *Long-Awaited Final 409A Regulations Published*, HRMA Resource, April 25, 2007