



# YOUR GUIDE *TO* ERISA LAW



# What is ERISA and How Does it Work?

For employers and employees alike, having a firm understanding of ERISA (Employee Retirement Income Security Act) law is very important as it is a federal law that dictates the way that certain employers handle matters concerning disability, pension, and various other benefits to which employees may be entitled.

It is absolutely imperative to abide by the rules and deadlines associated with ERISA law as the claims process can be complex. In some cases, claims can be denied, but that doesn't bring the end of the process and it can be appealed.

In order to properly manage these matters, you should work with an attorney who can explain the claims process to you, what you can do if your claim is denied, and how it works for various entities in the business world.





## Who it Protects:

ERISA law is designed to cover the retirement and welfare benefit plans of employees in various industries.

## Why it's Important:

The objective of ERISA is to protect individuals' retirement savings from being wrongfully abused or mismanaged. It determines the high standards by which those in charge of these plans must abide by when handling them.

## How it's Enforced:

ERISA is enforced by the Internal Revenue Service of the Treasury Department, the Employee Benefits Security Administration of the Labor Department, and the Pension Benefit Guaranty Corporation.





# What to Expect In the Claims Process

The entirety of the claims process is outlined below:

- Before you file the claim for benefits under ERISA law, you must experience what is considered a disabling incident in which you are harmed.
- Because ERISA law can be complex, you should contact someone experienced with the legalities and deadlines involved, such as a lawyer who focuses on ERISA and long-term disability matters.
- You don't have to worry about anything regarding the filing of the claim as your lawyer can work with your insurance provider to take care of that for you.
- In the event your claim is denied, your lawyer can look to file a proper appeal of the decision.
- If the appeal you file is denied, you may have the right to file a lawsuit and pursue the full benefits from your insurance provider.
- In the event that the lawsuit is wrongfully dismissed, there may be alternate options to take your case even further.

Remember, just because your initial claim is denied doesn't mean you can't still pursue your ERISA Law benefits.





# Next Steps for Your ERISA Law Benefits

Our ERISA attorneys at Delfino Green & Green encourage you to print out this eBook and use it as a guide should you ever be in a situation where you need to file a claim for benefits under ERISA law. Having a firm understanding of the process—as well as strong legal representation on your side—can help you get the benefits you deserve.

We're here to help you should you have any questions. Let us be your advocates throughout the entire process, from the initial filing of the claim to possible denial to potential litigation. We're here for you every step of the way.

Contact our firm today and we'll be happy to provide you with a free consultation to discuss your rights and options moving forward.

