

LAW & POLICY GROUP**GRIST**

PBGC FINALIZES MULTIEMPLOYER REPORTING AND DISCLOSURE RULES

*By Mercer's Margaret Berger and Brian Kearney
May 2, 2019*

PBGC has released [final rules](#) amending its multiemployer reporting, disclosure and valuation regulations. The final rule:

- Requires an annual actuarial valuation for not only plans terminated by mass withdrawal, but also insolvent plans (whether terminating or not) receiving PBGC financial assistance and plans terminated by amendment that are expected to receive PBGC financial assistance.
- Allows plans with a \$50 million or less present value of vested benefits to rely on actuarial valuations for five years (rather than the prior threshold of \$25 million and three-year reliance for valuations).
- Requires plans subject to actuarial valuation to provide annual updates (if any) about withdrawal liability, whether the plan has or has not assessed withdrawn employers.
- Removes outdated information in the notices of insolvency and insolvency benefit level, and eliminates most previously required annual updates to the notice of insolvency benefit level.

Effective date. The regulations generally take effect July 1. However, the changes relating to annual actuarial valuations and withdrawal liability updates apply to plan years ending after July 1.

RELATED RESOURCES

- [Final Regulations on Terminated and Insolvent Multiemployer Plans and Duties of Plan Sponsors](#) (Federal Register, May 2, 2019)

Note: Mercer is not engaged in the practice of law, accounting or medicine. Any commentary in this article does not constitute and is not a substitute for legal, tax or medical advice. Readers of this article should consult a legal, tax or medical expert for advice on those matters.