



Cornell University
ILR School
Labor and Employment Law Program

**A Conversation with Phyllis C. Borzi, Assistant Secretary of Labor
The Affordable Care Act: Impact on Multiemployer Plans**

Thursday, November 21, 2013

Phyllis C. Borzi

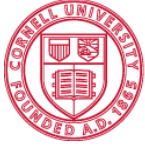
Phyllis C. Borzi was confirmed on July 10, 2009 as Assistant Secretary of Labor of the Employee Benefits Security Administration (EBSA). EBSA oversees nearly 708,000 private-sector retirement plans, approximately 2.8 million health plans, and a similar number of other welfare benefit plans that provide benefits to approximately 150 million Americans. As agency head, she oversees the administration, regulation and enforcement of Title I of the Employee Retirement Income Security Act of 1974 (ERISA).

Previously, Ms. Borzi was a research professor in the Department of Health Policy at George Washington University Medical Center's School of Public Health and Health Services. In that position, she was involved in research and policy analysis involving employee benefit plans, the uninsured, managed care, and legal barriers to the development of health information technology. In addition, she was of counsel with the Washington, D.C. law firm of O'Donoghue & O'Donoghue LLP, specializing in ERISA and other legal issues affecting employee benefit plans, including pensions and retirement savings, health plans, and discrimination based on age or disability.

From 1979 to 1995, Ms. Borzi served as pension and employee benefit counsel for the U.S. House of Representatives, Subcommittee on Labor-Management Relations of the Committee on Education and Labor. In 1993, she served on working groups dealing with insurance reform, workers' compensation and employer coverage in connection with the Clinton Task Force on Health Care Reform.

Ms. Borzi is a charter member and former President of the American College of Employee Benefit Counsel and served on its Board of Governors from 2000-2008; former member and former co-chair of the Advisory Board of the BNA Pension & Benefits Reporter; former member of the Advisory Committee of the Pension Benefit Guaranty Corporation; and former member of the Advisory Board of the Pension Research Council, The Wharton School, The University of Pennsylvania; and former member of the Board of the Women's Institute for a Secure Retirement (WISER). In 2008, she was appointed by the U.S. District Court for the Northern District of Ohio and served as a public member of the Administrative Committee for the Goodyear retiree health trust.

Ms. Borzi has published numerous articles on ERISA, health care law and policy and retirement security issues and has been a frequent speaker to legal, professional, business, consumer and state and local governmental organizations. An active member of the American Bar Association, Ms. Borzi is the former chair of the ABA's Joint Committee on Employee Benefits. She holds a Master of Arts degree in English from Syracuse University and a J. D. from Catholic University Law School, where she was editor-in-chief of the law review. She is a member of the District of Columbia Bar and is admitted to practice before the U.S. Court of Appeals for the District of Columbia Circuit and the U.S. Supreme Court.



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Robert M. Archer

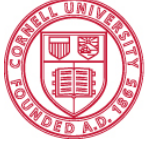
Robert M. Archer is the Managing Partner of Archer, Byington, Glennon & Levine, LLP ("ABGL"). Mr. Archer is very active in representing labor and employee benefits clients in the building trades entertainment and service industries. Mr. Archer has achieved national attention as an attorney in areas such as ERISA administrative and compliance issues, sophisticated construction labor issues such as guidance and counseling on project labor agreements and mergers of employee benefit plans.

Mr. Archer's expertise is not limited to labor and employee benefits in the multiemployer area. As Working Chair of the ERISA Advisory Council, an elite group appointed by the U.S. Secretary of Labor, he was responsible for preparing a report on Section 401(k) revenue sharing and related compliance issues, as well as recommending various fiduciary areas for the U.S. Secretary of Labor in the aftermath of the Pension Protection Act.

Mr. Archer served as an Attorney, Supervisory Attorney and Deputy Regional Attorney at the National Labor Relations Board from 1972 until 1980. He began his career in law as a Legal Assistant, Organizer and Collective Bargaining Coordinator for the Eastern Conference of Teamsters/International Brotherhood of Teamsters, where he worked from 1965 until 1970. Mr. Archer was a Captain in the United States Army from 1970 to 1972. Until recently, Mr. Archer was a Senior Labor Partner at Meyer, Suozzi, English & Klein, P.C. where he also served as a long-term member of the Management Committee of the firm.

Mr. Archer is a member of the AFL-CIO Lawyers Coordinating Committee where he served a three-year term on its Board of Directors, the Nassau County Bar Association, the Labor and Employment Law section of the New York State Bar Association, the Labor section of the American Bar Association and the Suffolk County Development Committee. He is also a member of the Board of Advisors of the Hofstra University Center for the Study of Labor and Democracy.

In March 2006, Mr. Archer was appointed by the U.S. Secretary of Labor, Elaine L. Chao, to the U.S. Department of Labor's ERISA Advisory Council. In his tenure, as a member of the ERISA Advisory Council, he was Co-Chair of the Council's Working Group on Prudent Investment Processes, as well as the Chair of the Working Group on the Fiduciary Update of the Pension Protection Act and 401(k) Revenue Sharing.



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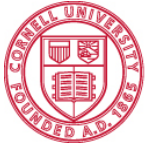
Thursday, November 21, 2013

Kathryn L. Bakich

Kathryn L. Bakich is the Senior Vice President National Health Compliance Practice Leader of The Segal Company in Washington, D.C.

Ms. Bakich has more than 20 years of experience specializing in research and analysis of federal laws and regulations affecting health coverage. She currently serves as Segal's National Health Compliance Practice Leader. Ms. Bakich is a member of the National Coordinating Committee for Multiemployer Plans (NCCMP) Working Committee, the Employers Council on Flexible Compensation (ECFC) Flex Advisory Council and is a Subcommittee Co-Chair for the Employee Benefits Committee of the American Bar Association Labor and Employment Law Section.

Ms. Bakich is the author of the *Employers' Guide to HIPAA Privacy Requirements* published by Thompson Publishing Group and is a member of the International Foundation for Employee Benefit Plan's Government Liaison Committee. She is a fellow in the American College of Employee Benefits Counsel.



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Mitra Behroozi

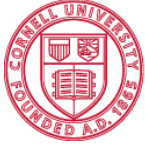
Mitra Behroozi, J.D., Executive Director, 1199SEIU Benefit and Pension Funds

Mitra Behroozi is the Executive Director of the 1199SEIU Benefit and Pension Funds, which provide comprehensive healthcare and retirement benefits to members of 1199SEIU United Healthcare Workers East, New York's largest union representing healthcare workers. The Funds, which include several large self-insured, self-administered Taft-Hartley health funds and three pension funds, cover over 400,000 lives, and have more than \$8 billion in assets.

Ms. Behroozi has over 25 years of combined experience in the fields of employment law and employee benefits. Prior to joining the Funds, she was a partner in Levy, Ratner & Behroozi, P.C. (now known as Levy Ratner, P.C.), a law firm specializing in labor, employment and employee benefits law and serving as principal counsel for 1199SEIU.

In 2006, Ms. Behroozi was appointed to the Medicare Payment Advisory Commission (MedPAC), where she served for six years as one of 17 commissioners analyzing issues affecting Medicare and providing recommendations to the United States Congress. She currently serves on the National Advisory Council for the Agency for Health Care Research and Quality (AHRQ), the Board of Directors of the Brooklyn Health Information Exchange (BHIX) and the steering committee of the Campaign for Better Care.

Ms. Behroozi is a 1980 graduate of Brown University and received her J.D. from the New York University School of Law in 1986.



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Daniel F. Murphy, Jr.

Daniel F. Murphy, Jr. is the managing partner of Partner, Putney, Twombly, Hall & Hirson LLP and also a member of the firm's executive committee. He represents management exclusively in all aspects of labor relations, employment law, and related litigation in addition to counseling employers on a daily basis in a variety of industries on topical employment issues. He litigates in state and federal courts throughout the country. He represents management before arbitration tribunals and administrative agencies on the state and federal level. He has litigated cases before the National Labor Relations Board. He also serves as chief spokesperson for management during labor negotiations.

Mr. Murphy represents employers in higher education, health care, manufacturing, financial services, retail and services industries. He provides counsel to employers on a full range of human resource issues, including hiring and termination, discrimination complaints, sexual harassment (including the development of policies and the training of supervisors), collective bargaining and strategic analysis involving organized labor, development and administration of human resource policies, wage and hour compliance, and occupational safety and health issues.

Mr. Murphy has advised employers during acquisitions, mergers, corporate divestitures and corporate restructuring. Mr. Murphy has lectured on various employment law topics, including sexual harassment, the Americans With Disabilities Act, workers' compensation, the Family and Medical Leave Act, negligent hiring, termination of employment, discrimination, and a variety of other concerns, to clients, trade associations and at seminars conducted by professional associations.

Mr. Murphy received his law degree from Boston College Law School in 1975, a Masters Degree in Labor and Employment Law from New York University Law School in 1982 and his undergraduate degree, cum laude, from LeMoyne College in 1972. He is a member of the American Bar Association, New York State Bar Association, New Jersey State Bar Association, and The Association of the Bar of the City of New York (Sections on Labor and Employment Law) and is a Fellow of the College of Labor and Employment Lawyers.