



BENEFIT NEWS BRIEFS

PBGC Publishes Final Rule On Employer Withdrawal Liability

The Pension Guarantee Benefit Corporation (PBGC) published a 10-page Final Rule in the *Federal Register* (73 FR 79628) amending the PBGC's regulation on *Allocating Unfunded Vested Benefits to Withdrawing Employers* (29 CFR part 4211) to implement changes made by *Pension Protection Act of 2006 (PPA)* that provide for changes in the allocation of unfunded vested benefits to withdrawing employers from a multiemployer pension plan, and that require adjustments in determining an employer's withdrawal liability when a multiemployer plan is in critical status.

The Final Rule also amends the regulations to provide additional modifications to the statutory methods for determining an employer's allocable share of unfunded vested benefits. In addition, pursuant to PBGC's authority under *ERISA*, this Final Rule amends PBGC's regulation on *Notice, Collection, and Redetermination of Withdrawal Liability* (29 CFR part 4219) to improve the process of fully allocating a plan's total unfunded vested benefit among all liable employers in a mass withdrawal. Finally, this Final Rule amends PBGC's regulation on *Terminology* (29 CFR part 4001) to reflect the definition of a "*multiemployer plan*" added by the *PPA*.

The Final Rule is available for download by "[clicking here](#)" or at: <http://edocket.access.gpo.gov/2008/pdf/E8-31015.pdf>.

Plan professionals involved in employer withdrawal liability calculations will find this 10-page document an informative read. The Final Rule has various effective dates which are listed at page 79634 or by "[clicking here](#)."

Interested parties can sign up for email alerts from the PBGC for breaking news at: <http://www.pbgc.gov/practitioners/whatsnew.html>.

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