BEST BEST & KRIEGER LLP
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At a Glance

Jeff has worked in the employee benefits legal field for about 40 years.

More than 100 public agencies rely on Jeff for his guidance on benefits and retirement plans.

Jeff has earned accolades from his peers for his practice.

Profile

With four decades of experience, Best Best & Krieger LLP Partner Jeff Chang skillfully evaluates benefit and retirement plans for compliance and maximum outcomes for clients. A member of the Employee Benefits & Executive Compensation practice group, Jeff represents government agencies, nonprofits, businesses, tax-exempt, non-ERISA and church clients. One of the most experienced employee benefits attorneys in California, he works closely with his clients on every aspect of retirement plan design, compliance and correction, as well as fiduciary compliance and executive compensation.

More than 100 public agencies have put their trust in Jeff's practiced evaluation of their opportunities and obligations under the California Employees' Pension Reform Act of 2013. He focuses on special employee benefits legal considerations that apply to public employers and local government agencies in California. He ensures that public employers' plans are sustainable, in compliance and designed to best serve the client and its employees. Jeff participated in practitioner meetings with the Little Hoover Commission during its study and analysis of the California public pension crisis.

Areas of Focus

Practices

- Compensation & Benefits for Elected Officials
- Constructive Receipt
- Employee Benefits & Executive Compensation
- Health & Welfare
- Labor & Employment
- Audits & Investigations
- Pension Benefits
- Public Agency Labor & Employment
- Public Sector: Employee Benefits & Executive Compensation
- Retired Annuitant Employment
- Retiree Health & Other Post-Employment Benefits
- Tax

Industries

- Business
- Education
- Health Care

Previously a shareholder at Chang Ruthenberg & Long, which he founded in 1989, Jeff is a leading authority in the field. Jeff's roots in the legal and academic communities run deep. He has taught qualified retirement plans and deferred compensation courses in the Masters of Taxation program at McGeorge School of Law and is a charter fellow of the American College of Employee Benefits Counsel, which has recognized Jeff for his significant contributions to the employee benefits field. He has been regularly included on the Best Lawyers in America and Northern California Super Lawyers lists for his contributions and successes in the field.

Jeff served as chairman of the IRS subcommittee of the American Society of Pension Professionals and Actuaries Administration Relations Committee, as co-chair of the ASPPA Government Affairs Committee and on its board of directors. He previously served on the Executive Committee of the California State Bar Taxation Section and is the founder of the Section's Employee Benefits Committee.

He founded and regularly writes posts for "Focus on Public Benefits," a blog for California's public employers and employees about sustainable employee benefit plans.

Jeff is admitted to practice law in the State of California.

Education

- University of California, Davis School of Law, J.D.
- University of California, Berkeley, B.A.

Memberships

- American College of Employee Benefits Counsel
- California Lawyers Association Public Law, Labor and Employment and Taxation sections

Honors/Awards

- *Sacramento Magazine* Top Lawyers, Employee Benefits Law, 2017-2018
- Northern California Super Lawyers, 2004, 2006-2018
- The Best Lawyers in America®, Employee Benefits (ERISA) Law, 1995-2017, 2019
- Martindale-Hubbell® AV Preeminent™ Rated

Representative Matters

- Assisted a large public agency with negotiation of recordkeeping and administrative services agreements for its 457(b) and 401(a) plans and achieved a fair and reasonable allocation and balancing of respective obligations and potential liability.
- Advised employers on the adverse tax consequences and potential

Municipal

Special Districts

restructuring of certain paid time off and vacation policies, enabling them to avoid ongoing exposures to various taxes and penalties.

- Applied for and obtained IRS private letter rulings regarding the tax treatment of certain retirement benefit and retiree health benefit provisions in collective bargaining agreements so that the employer would be able to properly report such amounts.
- Advised labor and businesses co-counsel with respect to employee benefit plan and withdrawal liability issues in connection with several sales and acquisitions of businesses and commercial real estate holdings in manner that allowed important benefits issues to be surfaced while not delaying the closing of the transaction.
- Helped plan fiduciaries to analyze and understand the various fees and expenses being charged with regard to the recordkeeping and investment of their plans, which enabled them to renegotiate and save their plans significant amount of fees.
- Advised both private sector and public sector plan fiduciaries on ways to manage and control their fiduciary liability.
- Advised several religious organizations on plan design and administration issues in connection with the designation of beneficiaries under their non-ERISA plans.
- Helped several employers to analyze, design and implement retirement plans for targeted groups of employees, enabling the targeted employees to receive the tax advantages of a qualified retirement plan.
- Advised numerous public agencies on their ability to modify retiree health benefits and potentially reduce significant amounts of liability.
- Advised an organization with respect to its status as a “governmental plan” sponsor under the Internal Revenue Code and ERISA.
- Advised numerous public agencies on compliance with the Public Employees’ Pension Reform Act of 2013.
- Advised public sector employers with respect to opting out of Social Security, their Social Security replacement plans and their section 218 agreements.
- Helped several employers to design and implement “streamlined” processes for the selection of plan vendors and advisors.
- Drafted section 115 trusts for public agencies and obtained IRS letter rulings on the tax status of the trusts.

Authorships

AUTHORED ARTICLES & PUBLICATIONS | JUL 11, 2018

The Anticipated Demise of the Vested-Rights Doctrine

Cases Before State’s High Court Could Mean Big Changes for Retirement Benefits Writes Jeffrey Chang in PublicCEO

- Recognizing That All “Rates of Return” Are Not the Same," *Focus on Public Benefits*, Nov. 15, 2018
- "If You Don’t Have a Section 218 Agreement, Watch Out for the Social

Security "Gotcha"," *Focus on Public Benefits*, Oct. 19, 2018

- "'Encouraging' the Repayment of Student Loan Debt," *Focus on Public Benefits*, Oct. 1, 2018
- "Time for a Defined Contribution Plan Checkup?" *Focus on Public Benefits*, Aug. 2, 2018
- "The Battle Over 'Vested Rights' In California" *Focus on Public Benefits*, June 27, 2018
- "They're Yours, They're Mine or They're on Their Own: More On Employee vs. Independent Contractor," *Focus on Public Benefits*, May 21, 2018
- "Yours, Mine, Ours: Are the Individuals Working for You Your Employees?," *Focus on Public Benefits*, April 9, 2018
- "How Is Liability-driven Investing Different?," *Focus on Public Benefits*, Feb. 27, 2018
- "Avoid Big Surprises After You Retire – Like a Major Reduction of Your Social Security," *Focus on Public Benefits*, Jan. 29, 2018
- "When It Comes to Funding Pension and/or OPEB Liabilities, Not All Section 115 Trusts are Created Equal," *Focus on Public Benefits*, Jan. 18, 2018
- "Sometimes, It's Good to be a Little "Country" – The Benefits of Rural Cooperative Status," *Focus on Public Benefits*, Dec. 20, 2017
- "Required Minimum Distributions (RMDs) – The Out of Sight, Out of Mind Problem," *Focus on Public Benefits*, Nov. 21, 2017
- "Watch Out For What Your Plans Say – Or Don't Say – About Transfers," *Focus on Public Benefits*, Nov. 1, 2017
- "Retiree Health Reimbursement Arrangements are Receiving More Attention," *Focus on Public Benefits*, Oct. 10, 2017
- "Using a Section 115 Trust to Help Manage Pension Obligations," *Focus on Public Benefits*, Sep. 13, 2017
- "New Home, Same Great Information," *Focus on Public Benefits*, Sep. 13, 2017
- "Why Hire A "3(38)" Adviser For A Public Agency 457(b) Or 401(a) Plan?," *Focus on Public Benefits*, May 30, 2017
- "Does Your Plan Have A Proper Fiduciary Structure?,"*Focus on Public Benefits*, April 19, 2017
- "Chapter 32: How "Not" To Transition To A New Record-Keeper," *Focus on Public Benefits*, Jan. 31, 2017
- "Chapter 31: Is Your Comp Time Immediately Taxable?," *Focus on Public Benefits*, Nov. 17, 2016
- "Chapter 30: Some "Elections" Do Work," *Focus on Public Benefits*, Oct. 10, 2016
- "Chapter 29: The "Misunderstood" Group Variable Annuity Contract," *Focus on Public Benefits*, Sep. 7, 2016
- "Chapter 28: Why Cashing Out PTO Next Year Doesn't Work," *Focus on Public Benefits*, Aug. 15, 2016
- "Chapter 27: Do You Have a Proper Cafeteria Plan?," *Focus on Public Benefits*, Aug. 15, 2016
- "Chapter 26: Controlling Retiree Health Costs: I've Got Some Bad News And Some Not So Bad News…," *Focus on Public Benefits*, June 15, 2016
- "Chapter 25: The Salary Continuation Trap," *Focus on Public Benefits*, June 15, 2016

- "Chapter 24: 457(b) Plan Fees And Revenue Sharing," *Focus on Public Benefits*, April 1, 2016
- "Controlling Retiree Health Costs: I've Got Some Bad News and Some Not So Bad News," *The Public Retirement Journal*, March/April 2016
- "Chapter 23: Have You Checked Your Retirement Plan Fees Lately?," *Focus on Public Benefits*, Jan. 7, 2016