

Janet E. Lanyon

Janet Lanyon primarily devotes her practice to labor and employee benefits law and litigation. She has represented private and public sector employers in state and federal court litigation, collective bargaining, arbitration, employee benefit plans, development of employment policies and strategies, and has represented employers before the National Labor Relations Board, U.S. Department of Labor, Internal Revenue Service, Pension Benefit Guaranty Corporation, Equal Employment Opportunity Commission and various state agencies.



EXPERIENCE

EMPLOYEE BENEFITS EXPERIENCE:

A significant part of Janet's practice involves the representation of private and public sector employers with respect to all aspects of employee benefits. Her practice includes designing, drafting, implementing and amending a wide array of tax-qualified defined benefit and defined contribution plans, including Code §401(k) plans, Code §403(b) plans, Code §457 plans, and Code §414(h) governmental "pick-up" plans. Janet has also assisted employers in developing non-qualified deferred compensation plans, as well as incentive and phantom stock bonus programs, including compliance with Code §409A. She has also advised employers with respect to fiduciary obligations and reporting and disclosure requirements under ERISA and the Michigan Public Employee Retirement System Investment Act. Janet has advised employers in connection with multi-employer pension plans and multi-employer pension plan withdrawal liability. She has represented plan sponsors before the Pension Benefit Guarantee Corporation (PBGC).

Janet has assisted employers with COBRA compliance, as well as drafting and designing cafeteria plans, flexible benefit plans, HSA and HRA arrangements. She has also assisted employers in assuring compliance with the coverage, privacy and security requirements of HIPAA. Janet has also designed early retirement incentive programs. She has also represented clients before the IRS and provided advice as to tax qualification of life insurance and annuity products and the use of these products in traditional and Roth IRAs.

LABOR AND EMPLOYMENT EXPERIENCE:

Janet has represented employers in state and federal court employment discrimination, wrongful discharge and other employment-related litigation. She has also engaged in collective bargaining and represented employers in grievance arbitration. Janet has represented employers before the Michigan and U.S. Departments of Labor, National Labor Relations Board, Equal Employment Opportunity Commission, Michigan Department of Civil Rights and various other administrative agencies.

Janet has worked with employers to address issues arising in connection with the discipline and discharge of

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employees, including concerns under the Elliott-Larsen Civil Rights Act, the Michigan Persons With Disabilities Civil Rights Act, the Whistleblowers Protection Act, Title VII of the Civil Rights Act of 1964, the Americans With Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act and Constitutional concerns. She has advised employers in the preparation of employee handbooks and related policies and the development of paid time-off and attendance programs.

Janet has particular expertise in Federal and state wage and hour laws. She has advised employers concerning numerous issues under the Fair Labor Standards Act and Michigan Wage and Fringe Benefit Act and has represented employers in audits by the U.S. and Michigan Departments of Labor pertaining to wage and hour matters. She is also the co-author of the chapter of the Institute of Continuing Legal Education treatise, Employment Law in Michigan, concerning the Fair Labor Standards Act and Michigan Wage and Fringe Benefit Act.

HONORS & AWARDS

- Selected by her peers for inclusion in The Best Lawyers in America® 2013, 2014, 2015, 2016, 2017, 2018 & 2019 editions in the following practice areas: Employment Law-Management, and Litigation-Labor & Employment.
- Named Michigan "Super Lawyer Business Edition" by Law & Politics® for Employee Benefits/ERISA (2012).
- Named Michigan "Super Lawyer" by Law & Politics® for Employee Benefits/ERISA (2011, 2012, 2013 & 2018) and previously for Employment Litigation-Defense.
- Named a Leading Lawyer in Michigan in Employee Benefits Law by Leading Lawyers Magazine (2016, 2017 & 2018).
- Listed as one of the dbusiness "Top Lawyers" in 2010, 2014, 2015, 2016 & 2017 by dbusiness Business Journal.
- AV-Preeminent rated Martindale Hubbell Law Directory. This is the highest rating given by Martindale-Hubbell. For over 100 years, Martindale Hubbell has published peer review ratings for attorneys. An AV rating is a combination of the Legal Ability Rating ("A" from very high to preeminent) and the General Ethical Standards Rating ("V" very high).

EDUCATION

- University of Michigan, B.A., with High Distinction
- University of Michigan Law School, J.D.

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

- All Michigan courts
- U.S. District Courts: Eastern and Western Districts of Michigan, Northern District of Illinois
- U.S. Court of Appeals for the Sixth Circuit
- United States Supreme Court

PROFESSIONAL ACTIVITIES

- State Bar of Michigan (Labor Law and Employment Law and Taxation Sections)
- American Bar Association (Labor Law and Employment Law Section)
- Oakland County Bar Association (Past Chair; Employee Benefits Committee)
- Michigan Council of School Attorneys
- Member, Great Lakes Area Tax Exempt/Governmental Entities (TE/GE) Council

- Women Lawyers' Association of Michigan, past president
- Women's Bar Association, past president
- Walsh College, former adjunct faculty member, Masters in Taxation program, (qualified retirement plans and welfare benefit plans)
- Mediator, Oakland County Circuit Court (Labor and Employment panel)

ARTICLES

- Keeping Up With the Affordable Care Act - Preparing for 2015 Group Health Plan Requirements and DOL Audits
- [Set and Forget? A Self-Directed 401\(k\) Plan Sponsor's Investment Fiduciary Obligations Under ERISA](#)
- [2011 Michigan Legislature Mandates Make Sweeping Changes to Public Employee Health and Welfare Plans](#)
- [Appearance and Discrimination in Hiring](#)
- [Can Pay Rates Differ for Employees Working in Dual Capacities?](#)
- [Change to FLSA Requires Breaks for Nursing Mothers](#)
- [Dealing with Employee "Telecommuters"](#)
- [HITECH Act Increases HIPAA Compliance Requirements for Group Health Plans](#)
- [Holiday Parties and an Employer's Liability](#)

SPEECHES

- "Code §403(b) and 457(b) Programs and the New Pension Plus Plan", Michigan School Business Officials Annual Conference
- "Making the Right Choices Under the 2010 Health Care Reform Act: Fitting Together All the Moving Pieces", Institute of Continuing Legal Education
- "Managing Retirement Plans in Today's Economy – Risks and Opportunities", Institute of Continuing Legal Education
- "National Trends and Emerging Issues Affecting all State Workers' Compensation Laws", National ABA Conference
- "Responding to Pre-Employment Inquiries Regarding Safety Sensitive Employees", Michigan Transportation Association
- "RICO Liability Based on Workers' Compensation Claims Adjusting Activity", National Workers' Compensation Defense Network
- "COBRA Update", Michigan Association of Certified Public Accountants
- "Compensation and Tax Issues", Michigan School Business Officials Business Manager/CPA Workshop
- "Cost-Saving Alternatives for Employee and Retiree Health Benefits", Institute of Continuing Legal Education
- "Employee Benefits Update", Metropolitan Detroit Bureau of School Studies
- "Employee Manuals and More", Troy Chamber of Commerce
- "Overtime Issues: The Fair Labor Standards Act & Michigan Wages and Fringe Benefits Act", Michigan Negotiators Association
- "Qualified Plan Options and Limits", Michigan Association of School Administrators 2012 Midwinter Conference
- "Strategies-Dealing With the Campus Sexual Offender", National Association of College and University Attorneys
- [CPE Mega Conference](#)
- Frequent lecturer to employer groups
- Moderator, "Life & Death: Planning to Remove the IRS Lien on Your Retirement Assets", Oakland County Bar Association Estates and Trust and Employee Benefits Committees

BOOKS

- Employment Law in Michigan
- Employment Litigation in Michigan

PRACTICE AREAS

- Employment and Labor Law
- Employee Benefits
- Education and Municipal Law
- Litigation and Dispute Resolution
- Transportation and Logistics Law