Thomas C. Senter

Partner

Iselin

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- Strategic advisor to middle market employers, senior executives, board members and other clients in the areas of employee benefits, executive compensation, ERISA, taxation and employment law
- Deep technical experience in the administration, qualification, negotiation, and drafting of retirement plans, health and welfare plans, compensation arrangements, employment and separation agreements, and other critical documents
- Provides technical advice related to IRC Sections 409A, 280G, and 83, as well as ACA, FMLA, HIPAA, and COBRA compliance, including representation in corrective actions before the IRS, DOL, PBGC and state agencies.

Tom brings broad-based expertise to his representation of clients in the related areas of employee benefits, executive compensation, ERISA, taxation and employment law. He provides sophisticated counsel to middle market publicly and privately held business owners and employers, senior and C-suite executives, Boards of Directors and Board Committees. He also works closely with finance and human resources executives and external professional advisors and is often engaged by high-level business executives to advise on their personal legal requirements.

Tom provides expertise in the negotiation, structuring and drafting of executive employment and separation agreements. He is deeply experienced in equity and incentive non-equity based qualified and non-qualified retirement and compensation plans, ERISA Title I fiduciary issues, stock option and deferred compensation

arrangements, plan distribution, qualification and administration issues, Qualified Domestic Relations Orders (QDROs), and employee health and welfare plans. His practice also includes the drafting of employee handbooks and other employment-related policies.

He advises clients on compliance with Sections 83, 409A and 280G of the Internal Revenue Code, the Affordable Care Act, HIPAA, and COBRA, and represents clients in negotiations related to benefit issues and corrective actions with the Internal Revenue Services, the U.S. Department of Labor, and the Pension Benefit Guaranty Corporation.

Tom also works closely with other attorneys in the firm on business transactions and sophisticated estate planning matters.

Areas of Focus

Practice Areas

- Employee Benefits, Executive Compensation & ERISA
- Employment
- Employment Contracts & Separation Agreements
- Employment Counseling
- Employment Handbooks & Policies
- Estate Planning, Counseling, Administration & Litigation
- Beneficiary Counseling
- Business Succession Planning
- Estate Planning
- Estate Planning for Blended Families
- Pet Trusts
- Probate and Trust & Estate Administration
- Tax
- Business Tax Planning
- Transactional Tax Issues

Industries

- Private Clients
- Professional Services
- Healthcare
- Higher Education

Credentials

Bar Admissions

- New York, 1980
- New Jersey, 1982
- U.S. District Court, Southern District of New York, 1980
- U.S. District Court, Eastern District of New York, 1980
- U.S. Tax Court, 1980
- U.S. District Court, District of New Jersey, 1982

Education

- New York University School of Law, LL.M. in Taxation, 1982
- St. John's University School of Law, J.D., 1979
- Wharton School of the University of Pennsylvania, B.S., *cum laude*, 1975

Recognition

- American College of Employee Benefits Counsel Fellow
- Listed in *The Best Lawyers in America* (a trademark of Woodward/White, Inc.) in the Employee Benefits (ERISA) Law practice area (2005 – present)
- Listed in *New Jersey Super Lawyers* (a Thomson Reuters business) in the Employee Benefits, Estate Planning & Probate and Employment & Labor: Employer practice areas (2013 – 2014, 2017 – present)
- Martindale-Hubbell Peer Review Rated AV Preeminent (a trademark of Internet Brands, Inc.)

Experience

Representative Matters

- Negotiated an executive separation and transition package for the president and CEO of the U.S. subsidiary of a multinational automotive manufacturer.
- Represented the president and CEO of a major New Jersey medical center in negotiating employment and deferred compensation agreements.
- Restructured deferred compensation arrangements for the retiring CEO of a federal credit union to avoid immediate income recognition upon separation.
- Represented an actuarial consulting firm in defense of claims alleging improper benefit calculations following plan termination.
- Represented directors of a bankrupt plan sponsor and trustees of an underfunded pension plan in connection with assumption of the plan by the Pension Benefit Guaranty Corporation.
- Negotiated with the Pension Benefits Guaranty Corporation on behalf of an individual facing withdrawal liability claims exceeding $7 million.

- Represented a benefits consulting firm in defense of U.S. Department of Labor claims alleging fiduciary responsibility for misappropriation of plan assets.
- Advised an institution of higher education on restructuring retiree health benefits to reduce costs and limit long-term liability exposure.
- Advised a nonprofit hospital on executive employment and benefits matters arising from the formation of a new healthcare system in New Jersey.
- Represented sellers in the sale of a corporation with a significantly overfunded defined benefit pension plan, structuring the transaction to transfer plan obligations to the purchaser at closing.
- Represented the newly appointed board of directors of a regulated bank in connection with recapitalization, change of control, and implementation of equity compensation for senior leadership.
- Advised plan sponsors in voluntary compliance matters before the IRS and the U.S. Department of Labor, securing correction of qualification and fiduciary issues.
- Advised a public company in conducting a comprehensive internal review of outstanding stock options and warrants to confirm compliance with securities, tax, and payroll regulations.
- Represented a telecommunications company in its sale to an Employee Stock Ownership Plan (ESOP), resulting in 100% employee ownership and involving multi-million-dollar transaction value.
- Represented a mid-sized certified public accounting firm in its merger with a larger regional accounting firm, advising on partner compensation, employment, insurance, and real estate matters, including workforce integration, benefit plan consolidation, employee communications, and restrictive covenant compliance.
- Represented a senior partner at a major national accounting and consulting firm in his departure to launch a U.S.-based consulting business for an international firm.
- Represented a senior-level partner and decision maker at a New York-based hedge fund, in reviewing high seven-figure equity compensation arrangements across multiple portfolio companies.
- Serve as outside general and employment counsel to the U.S. subsidiary of a Norwegian-based manufacturer and retailer, handling employment litigation, executive and separation agreements, handbooks, and ongoing compliance counseling, including matters involving cross-border coordination with Norway.
- Representing a client in negotiating a seven-figure employment agreement to lead the U.S. operations of the world's largest cannabis producer and distributor.

Affiliations

Memberships

- New Jersey State Bar Association: Taxation Law Section, Employee Benefits Committee

Other Activities

- *Journal of Pension Planning & Compliance* (Aspen Publishers); former Editorial Advisory Board

Personal

- Englewood Health, Englewood Hospital and Englewood Health Foundation: Board of Trustees (Past Chairman)
- Honorary Chair of the Korean Community Center's 2018 Gala, in recognition of his contributions to the advancement of healthcare for the Korean American population as Chairman of Englewood Hospital and Medical Center.
- Honored by the Englewood Hospital and Medical Center Foundation at its Annual Gala in June of 2017. He received the Touchtone Award, the Medical Center's highest honor, for his contributions as Chairman of Englewood Hospital and Medical Center and its parent corporation, Englewood Healthcare System.

Insights & More

Announcements

Thirty-One Greenbaum Attorneys Selected for Inclusion in 2027 Edition of New Jersey Super Lawyers
10.12.26

2027 Edition of Best Lawyers Recognizes 50 Attorneys in 38 Practice Areas
8.20.26

36 Greenbaum Attorneys Selected for Inclusion in 2026 Edition of New Jersey Super Lawyers
3.20.26

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List
8.21.25

Thirty-Five Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2025 Edition of New Jersey Super Lawyers
3.19.25

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition
8.14.24

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of New Jersey Super Lawyers
3.25.24

2024 Edition of Best Lawyers Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on "Ones to Watch" List; Five Selected for "Lawyer of the Year" Recognition
8.16.23

2023 Edition of Best Lawyers Recognizes 51 Attorneys in 36 Practice Areas: Nine Greenbaum Lawyers Recognized on "Ones to Watch" List; Seven Selected for "Lawyer of the Year" Recognition
8.17.22

Client Alerts

An Overview of New Jersey's New Pay Transparency Legislation for Employers
12.05.24

Federal District Court in Texas Blocks FTC Non-Compete Final Rule
8.23.24

An Update for Employers on the FTC's Final Rule Banning Non-Compete Clauses
8.13.24

An Overview of the Federal Trade Commission's Final Rule Banning Non-Compete Clauses
4.24.24

FTC Proposes Ban on Non-Compete Agreements
1.11.23

U.S. Supreme Court Halts Enforcement of OSHA Vaccine Mandate for Private Employers
1.18.22

Multiple Appeals Leave Lingering Uncertainty for Employers After Federal Appeals Court Lifts Stay of OSHA Emergency COVID Vaccine Mandate
12.28.21

Federal Court Puts OSHA's Emergency COVID Vaccination Mandates on Hold, But Private Employers Must Still Consider Next Steps
11.23.21

The Implications for Estate Planning of Proposed Tax Provisions of the Build Back Better Act
10.12.21

Proposed "For the 99.5% Act" Could Bring Significant Changes to Existing Federal Estate, Gift and Trust Tax Rules
4.30.21

NJ Governor Murphy Signs Executive Order 192 in Response to Latest Spike in COVID-19 Cases: New Protective Workplace Requirements for Employers Are Effective November 5
11.02.20

Title II of the CARES Act: Assistance for American Workers, Families and Businesses
3.30.20

Publications

Pros and cons: Can an alternative health plan cut your costs?
12.01.24

Home Rules
1.16.22

Seminars & Events

Employee Handbooks in 2022: What the Pandemic Has Taught Us
3.02.22

Covid and Testing and Mandates, Oh My! - A 2022 Update on the Biden Administration's Actions, Court Challenges, and Employer Best Practices
2.09.22

Hot Topics in Group Health Plan Administration
6.07.21

Executive Compensation in the Healthcare Industry: Managing the Process Against the Backdrop of a Pandemic
11.16.20

COVID-19 and Your Business: A Close-up Look at FFCRA Compliance, Employee Benefits and Avoiding Potential Litigation
6.22.20

Title II of the CARES Act: Assistance for American Businesses and Families
5.21.20