

## Class Action Case Certified for Failure to Provide COBRA Election Notices in Spanish

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August 15, 2018

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A U.S. District Court in the 11th Circuit certified as a class action a case in which the plaintiff argued that her former employer, the Marriott International hotel chain, violated federal law by failing to: (1) provide a COBRA notice in Spanish; (2) adequately explain the procedures to elect healthcare coverage; (3) identify itself as the plan administrator; and (4) provide a notice that an average plan participant would understand. There are over 15,000 potential class members who received the allegedly deficient COBRA notice. Employers subject to COBRA are required to offer employees the option to continue their group health plan coverage after employment termination (among other COBRA qualifying events). These notices need to comply with language and other requirements. Employers that fail to comply with COBRA may face penalties of up to \$110 per day for each individual who is sent a defective notice. *Vazquez v. Marriott International, Inc.*, No: 8:17-cv-00116-MSS-MAP (M.D. Fla. Aug. 7, 2018).