

Department of Labor Summary of Enforcement Actions for Fiscal Year 2025

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PRACTICES Employee Benefits and Executive Compensation

The DOL's recent publication of a summary of the Employee Benefits Security Administration's ("**EBSA**") ERISA enforcement activities for Fiscal Year 2025 is a good reminder that plan sponsors need to closely monitor plan operations to avoid potential penalties and claims. Specifically, the DOL summary notes that EBSA:

- Recovered over \$1.4 billion for employee benefit plans, plan participants, and beneficiaries. More than half of the recoveries in Fiscal Year 2025 were the result of enforcement actions, including \$512.5 million in plan distributions owed to terminated vested participants in defined benefit pension plans;
- Closed 878 civil investigations in Fiscal Year 2025, with 63% of investigations yielding monetary recoveries or other corrective actions. Approximately 19% of the non-monetary corrective actions involved plan fiduciaries (i.e., removing plan fiduciaries or barring individuals from serving as fiduciaries). EBSA also closed 253 criminal investigations during the year, resulting in the indictment of 62 individuals;
- Handled over 222,000 informal complaints involving alleged violations of ERISA and recovered over \$468 million through informal resolution of these complaints; and
- Distributed \$117.3 million to participants through the termination of abandoned employer-sponsored pension plans and collected \$39.1 million from the DOL's Voluntary Fiduciary Correction Program.

To mitigate risk, plan sponsors should annually review plan operations for potential breaches of fiduciary duties, including, but not limited to, the following items: (i) failures to timely remit participant contributions; (ii) plan committees not using best practices to review, monitor, and remove (if necessary) plan investments and not properly benchmarking plan fees; and (iii) neglecting to properly audit third party administrators in connection with the processing of claims in accordance with the plan's documents.

The fact sheet concerning EBSA's ERISA enforcement activities in Fiscal Year 2025 is available [here](#).