

## DOL Increases Civil Monetary Penalties for Certain ERISA Violations - 2022

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January 25, 2022

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The DOL recently issued a final rule that adjusts for inflation the amounts of civil monetary penalties assessed or enforced in its regulations, including for certain ERISA violations. The adjusted penalty amounts apply to penalties assessed after January 15, 2022 and for which the associated violations occurred after November 2, 2015. Some of the penalties that were increased include the following:

- The maximum penalty for failing to properly file a pension or welfare benefit plan's annual Form 5500 increased from \$2,259 per day to \$2,400 per day.
- The maximum penalty for failing to provide notices of blackout periods or of the right to divest employer securities increased from \$143 per day to \$152 per day (each statutory recipient is a separate violation).
- The maximum penalty for failing to provide employees the required Children's Health Insurance Program, or CHIP, coverage notices increased from \$120 per day to \$127 per day (each employee is a separate violation).
- The maximum penalty for failing to provide group health plan summaries of benefits and coverage increased from \$1,190 per failure to \$1,264 per failure.
- The maximum penalty for failing to furnish automatic contribution arrangement notices increased from \$1,788 per day to \$1,899 per day (each statutory recipient is a separate violation).

Employers should ensure timely compliance with all of ERISA's reporting and disclosure requirements to avoid these costly penalties.

The final rule is available [here](#).