

DOL Penalties for 2026

The Department of Labor (DOL) has published the annual adjustments that increase certain penalties applicable to employee benefit plans. Although the penalties for 2026 remain largely unchanged, it is important for employers of all sizes to comply with these adjustments to avoid costly fines.

Employer Action

Private employers, including non-profits, should ensure employees receive required notices (SBC, CHIP, SPD, etc.) in a timely manner to prevent civil penalty assessments. In addition, employers should ensure Form 5500s are properly and timely filed, if applicable. Finally, employers facing document requests from EBSA should ensure that documents are provided in a timely manner, as requested.

Annual Penalties for 2026

The following updated penalties are **some of the items** applicable to health and welfare plans subject to ERISA.

Description	2024 Penalty (OLD)	2025 Penalty (ADJUSTED)	2026 Penalty (NO CHANGE)
Failure to file Form 5500	Up to \$2,670 per day	Up to \$2,739 per day	Up to \$2,739 per day
Failure of a MEWA to file reports (Form M-1)	Up to \$1,942 per day	Up to \$1,992 per day	Up to \$1,992 per day
Failure to provide CHIP Notice	Up to \$141 per day per employee	Up to \$145 per day per employee	Up to \$145 per day per employee
Failure to provide a required Summary of Benefits and Coverage (SBC)	\$1,406 per willful failure to provide to participants	\$1,443 per willful failure to provide to participants	\$1,443 per willful failure to provide to participants
Failure to furnish plan documents (including SPDs/SMMs) to DOL on request	\$190 per day; \$1,906 cap per request	\$195 per day; \$1,956 cap per request	\$195 per day; \$1,956 cap per request

This document is not intended to interpret laws or regulations or to address specific client situations. You should not act or rely on any information contained herein without seeking the advice of an attorney or tax professional.

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