

## Contact

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## Labor & Employment

### Labor & Employment

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The workplace is not what it used to be. During the last twenty years, an ever-evolving economy, the smart-phone and social media revolution, and an explosion of entrepreneurial opportunities in the gig economy have transformed our whole idea of what it means to have a job and go to work. From the employer's perspective, what used to be a simple agreement to hire an employee has become a universe of choices – from traditional employees to independent contractors to work-from-home arrangements – all with unique risks and opportunities.

Employment law is not what it used to be, either. At the state, local, and federal level, legislators and regulators are scrambling to address cutting-edge issues in the workplace, including LGBTQ rights, protection of digital information and trade secrets, health care, and the increasing polarization of religious, political, and racial discourse. Companies who do what they have always done because there has never been a problem before will soon find themselves on the wrong side of the law.

Chamberlain Hrdlicka understands the new workplace, and we are ready to help you develop an integrated employment strategy, custom-tailored to the unique needs of your workplace. From executive stock and bonus plans to restrictive covenants to company-wide payroll analysis, our broad experience helps companies answer the legal questions that crop up across the employment relationship. And when the employment relationship sours and litigation ensues, our deep litigation experience provides us with a solid basis for a results-oriented strategy. Having litigated matters in federal and state courts from coast-to-coast (including California, Nevada, Colorado, Texas, Louisiana, Georgia, Florida, Maryland, West Virginia, Michigan, Pennsylvania, and Rhode Island), we have the nationwide experience to handle litigation anywhere, at any time.

### Fighting for Employers

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At Chamberlain Hrdlicka, we stand with business owners, whether they are facing a government investigation, bet-the-company class actions, or are simply seeking advice to provide a stable, productive, and profitable working environment. We represent employers in multiple industries, including oilfield services, telecom, manufacturing, and hospitality. Our labor and employment experts partner with clients throughout the life cycle of employment, from policy development to employment agreements to wage/hour and benefits questions to workplace investigations to termination decisions, severance agreements, and restrictive covenants. We handle state and federal administrative and court proceedings at the trial and appellate levels across the country. We are more than just litigators – we partner with our clients to find creative ways to change business practices and minimize risk, even in the face of ongoing litigation.

## Labor & Employment, *Continued*

### Areas of Expertise

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#### Litigation

- Wage/hour class, collective, and hybrid actions, including claims based on:
  - Joint employment allegations
  - Classification of workers as independent contractors
  - Classification of employees as exempt from overtime
- Defense of government investigations and enforcement actions
- Enforcement and defense of noncompetes, nonsolicits, and nondisclosure agreements
- Computer fraud, theft, and trespassing
- Discrimination, harassment, and retaliation allegations under Title VII, § 1981, ADEA, ADA, FMLA, GINA, USERRA
- ERISA litigation

#### Counseling

- Executive employment and bonus agreements
- Restrictive covenant agreements, including multi-state restrictive covenant programs
- Multi-state employee handbooks and employment policy development
- Analysis of payroll, use of independent contractors, and classifications under wage/hour laws
- Training on discrimination, harassment, retaliation, FMLA, workers' compensation, eDiscovery, wage/hour, and union avoidance issues

### Labor & Employment Blog

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To read the Chamberlain Labor & Employment blogs, click on <https://www.chamberlainlaw.com/labor-employment>.

