

Employment Services & Counseling

Our Labor and Employment attorneys advise and represent public and private companies, public sector entities and nonprofit organizations. We collaborate with in-house counsel, executive-level managers, public officials, risk management professionals and human resource departments to resolve workplace issues efficiently.

Our team brings extensive experience in administrative proceedings, representing clients locally and internationally before federal and state agencies. We also litigate a wide range of labor and employment claims in both federal and state courts, including those under the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), the Fair Labor Standards Act (FLSA), the Worker Adjustment and Retraining Notification (WARN) Act, and other workplace laws.



What We Do

Regulatory Compliance

- Advise on issues of employee hiring, compensation and discipline
- Counsel on leaves of absence and accommodation
- Draft employee handbooks and employment agreements
- Develop and implement employee screening and testing programs
- Navigate government contract requirements
- Advise on layoffs and reductions in workforce
- Address occupational safety and health issues
- Handle Title IX claims investigations
- Provide guidance on immigration issues

Equal Opportunity / Anti-Discrimination Law

- Design strategies to avoid litigation
- Draft anti-discrimination and anti-harassment workplace policies
- Develop complaint response systems
- Establish procedures for internal investigations
- Offer anti-discrimination and anti-harassment training programs for management, supervisors, and employees
- Represent employers before federal and state administrative agencies, including the U.S. Equal Employment Opportunity Commission (EEOC), the Department of Labor, and the Ohio Civil Rights Commission

Wage & Hour Compliance

- Implement pay practices to mitigate risk of allegations from employees and regulators
- Defend against claims of employee misclassification, off-the-clock work, violations of overtime rules, minimum-wage violations, missed meal and rest breaks, donning and doffing time, and pay for pre- and post-shift activities
- Design compensation plans
- Identify and resolve pay-related problems

- Defend claims before administrative agencies
- Litigate single-plaintiff, class and collective actions
- Handle investigations and compliance audits initiated by federal and state regulators, including the U.S. Department of Labor

Restrictive Covenants & Trade Secrets

- Draft pre- and post-employment restrictions, including non-compete and non-disclosure agreements, employment agreements, workplace policies, and restrictive covenants
- Investigate allegations of theft and recover stolen information
- Develop and implement strategies that effectively check unfair competition
- File injunctions to initiate temporary restraining orders that block disclosure of confidential information
- Defend restrictive covenants
- Prosecute trade secret thefts, employee raiding claims, breaches of fiduciary duty and duty of loyalty, and other unfair competition matters

Workplace Audits

- Detect potential compliance violations before lawsuits are filed or state and federal regulators become involved
- Ensure compliance with state and federal employment regulations including immigration and I-9 rules, OSHA policies and procedures, Equal Employment Opportunity Commission (EEOC) anti-discrimination regulations, Fair Labor Standards Act (FLSA) guidelines, wage-and-hour requirements, and employee privacy and HIPAA obligations
- Identify and correct operational weaknesses
- Train personnel on technical legal compliance and risk avoidance processes and procedures

Workplace Counseling & Policies

- Establish workplace policies to deal with common workplace issues such as the interview process, hiring and firing, workplace harassment, employee misconduct, social media use, and drug and alcohol abuse
- Update and disseminate employee handbooks
- Structure and monitor employee complaint hotlines
- Develop standards and processes for performance evaluations
- Create response systems for high-risk employment situations, including contentious terminations, harassment and discrimination claims, layoffs and reductions in force, and workplace accidents
- Assist in federal, state and local employment regulation navigation
- Advise on federal immigration rules and I-9 requirements
- Offer in-house training programs, webinars and seminars

Our Experience

- Represented a political subdivision and received a verdict in favor of the client in a race discrimination/race harassment case that received national publicity
- Successfully represented an employer in federal court with respect to claims of reverse discrimination and wrongful discharge
- Developed and implemented numerous drug testing programs
- Developed several employee handbooks, personnel policies and affirmative action plans
- Represent numerous companies in connection with workplace injuries and Occupational Safety & Health Administration (OSHA) citations
- Advised a large (2,000+) private employer regarding a reduction in workforce
- Provide ongoing legal counsel in a broad scope of labor and employment matters to a regional transit authority for more than 20 years

- Obtained a jury verdict in federal court in favor of a national retail chain as to an employee claiming sexual and handicap discrimination
- Defended numerous employers against discrimination, harassment, hostile work environment, retaliation and wrongful discharge claims
- Served as lead counsel for a statewide association of managed care organizations in the Amicus brief filed with the Ohio Supreme Court in response to organized labor's constitutional challenge to the Bureau's health partnership program
- Successfully defended numerous allowances and compensation claims, as well as wrongful discharge, retaliation and intentional tort claims
- Successfully negotiated with unions during the term of collective bargaining agreements to modify health insurance plans
- Negotiated numerous collective bargaining agreements and handled a significant number of grievances, arbitrations and unfair labor practice proceedings
- Advised public school districts in a full range of legal matters including contract negotiation, charter school laws, public purchasing, competitive bidding, real property, Ohio School Facilities Commission matters, employee benefits, district purchasing, personnel, special education, EEO, civil rights, tuition and residency
- Handled issues related to public employees in the education industry, such as public records act matters, issues related to Revised Code Chapter 2744, and civil service issues
- Provided in-depth counseling and training to hotel and restaurant establishments on a wide variety of employment and labor topics
- Represented newspapers in a broad range of employment matters, including defense of discrimination and wrongful discharge cases, assisting in wage and hour claims, and handling matters before the National Labor Relations Board (NLRB) and other administrative agencies