



## LABOR & EMPLOYMENT

Our Labor & Employment Practice Group works closely with public and private employers across Virginia in all employment matters. We make it our job to help businesses anticipate, prevent and resolve workplace claims, navigate the complex world of employment regulation and defend employers in court and before all applicable government agencies.

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### AREAS OF CONCENTRATION

- Handbook Development
- Employment Audits: wage-hour, VOSH and OSHA
- Employment Counseling
- Litigation Before Courts
- Covenants Not to Compete
- Arbitration
- Development of Policies
- Timely Newsletters & Seminars
- Human Resources Training
- Litigation Before Government Agencies
- Class Actions

### WHO WE ARE

Our Practice Group has earned a strong reputation for innovative leadership and client satisfaction. We have served our clients as a specialized Practice Group of the firm for more than a quarter-century, and together with our Employee Benefits Group we provide the full spectrum of legal needs for employers in Virginia and beyond.

Practicing from our seven offices within the Commonwealth, we are one of the largest labor and employment law teams in Virginia. We count among our members three former Chairs of the Virginia Bar Association Section on Labor Relations and Employment Law, as well as many attorneys recognized by their peers and clients for inclusion in attorney rating publications including “Virginia Legal Elite,” “Best Lawyers for Business in the USA,” “Richmond Super Lawyers,” “Chambers” and “The Best Lawyers in America.” Our firm and lawyers within the group have earned the coveted AV® rating granted only to preeminent lawyers by the widely recognized Martindale-Hubbell rating service. As individuals, each lawyer offers experience in critical subspecialties. As a team, we possess the strength and depth to address any employer-employee issue. We also offer our clients the advantage of an expert consultant, the former Area Director of the EEOC.

## WHAT WE DO

We represent management in a full array of labor and employment issues. We counsel and represent our clients in court and before administrative agencies.

Modern business has created a kaleidoscope of federal and state employment laws. No matter which way employers turn, multifaceted legal complexities are in view. Most of these laws provide an avenue for workers – current employees, former employees, and even applicants – to challenge employment decisions in court or before agencies. Employers increasingly are being subjected to lawsuits based on allegations of discrimination, negligence, defamation or wrongful discharge theories. Lawsuits and other formal proceedings are expensive, intrusive, time-consuming and uncertain.

We view our primary job as providing practical advice to minimize risk, implement effective policies, and keep our clients out of court. When court or agency action is necessary, our strategy is to win at the earliest practicable stage. We are counselors who know how to craft litigation-avoidance advice. We are litigators who know the ins and outs of the legal system and can devise strategies for cost-effective and advantageous resolutions.

One of our most well known and continuing client resources is our annual Employment Law Update. The first of its kind in Virginia, this full-day seminar offered in various locations has provided timely and practical advice and written materials for more than 25 years. Another service we provide to our clients is a VOSH/OSHA audit, designed to avoid the potential risks associated with a Virginia Division of Occupational Safety and Health (VOSH) or OSHA inspection. We also present webinars, breakfast briefings and publish a quarterly newsletter noting recent decisions, legislation and developing trends.

## OUR TRACK RECORD

We seek proactive solutions and encourage our clients to see and seize opportunities for effective management. Our approach is preventive. Our team is recognized for seeking and finding opportunities to help management avert a problem, craft a solution, or arm our clients with the most effective legal defense to minimize liability and avoid litigation.

## REPRESENTATIVE MATTERS

- Employment litigation in federal and state courts, as well as appellate representation at all levels of the court system
- Representation before federal administrative agencies, including the United States DOL and the EEOC and state agencies regulating wages, unemployment and workplace safety
- Employment practice and procedure audits, to identify issues before they become problems
- Wage-hour compliance
- Development and implementation of effective legal and practical personnel policies, employee handbooks and the like, arbitration, mediation and other alternative dispute resolution procedures
- Union avoidance and issues associated with labor management relations
- Negotiation, drafting, and enforcement of employee and executive contracts
- Federal and state discrimination advice and litigation, from the Civil Rights Act of 1866 to the newest forms of workplace harassment – and everything in between
- Restrictions on the activities of former employees, including prosecution and defense of claims involving covenants not to compete, business torts, trade secret litigation, and civil claims involving computer abuse
- Practical training for managers, supervisors and employees at all levels