

Overview

Our goal is to help employers navigate the complex issues that arise on a day-to-day basis throughout the life cycle of the employment relationship. From recruiting and hiring through separation or retirement, each phase of the employment relationship includes its own compliance and regulatory challenges. With more than 40 labor and employment attorneys in the mid-Atlantic, Gulf Coast, Midwest, and West, we combine both local knowledge and national experience to provide timely, cost-effective, and practical client-centered solutions.

Our attorneys counsel on a wide array of employment laws, for example, state-specific human/civil rights acts, wage and hour issues, and traditional labor and union matters.

We regularly advise public and private employers from a variety of business sectors and specialized industries, including higher education, construction, and 501(c)(3) organizations. When our client employers are faced with litigation or enforcement actions, our attorneys are ready to step in and advocate for them before administrative agencies as well as arbitration and state and federal courts.

Representative Experience

WORKPLACE INVESTIGATIONS – EEOC, DOL, NLRB

We possess significant expertise in conducting internal investigations on behalf of our clients.

- Defended a university through trial in a negligence case where a former employee was accused of taking photographs of students without their knowledge
- Represented many higher education and local school system clients against complaints pending before the Office for Civil Rights of the United States Department of Education
- Advised business owners who had discovered a long-time employee had been fraudulently siphoning company funds, assisting with insurance, restitution, and collection claims regarding their losses
- Defended numerous NLRB charges filed by trade unions (and employees) against unionized and merit shop construction contractors

TRAINING/ EMPLOYEE HANDBOOKS

Our comprehensive workplace training ensures legal compliance and productivity, covering harassment prevention, leave management, and more. We provide interactive options like in-person sessions, webinars, and e-training platforms, all designed by experienced attorneys to meet clients' specific needs.

- Counseled a 501(c)(3) organization regarding employment matters as well as issues related to its workforce development program regarding construction trades for people with significant barriers to employment
- Revised and updated policies and manuals in the wake of changing legislation on local, state, and federal levels

REDUCTIONS IN FORCE – WARN ACT

We advocate for employers in state and federal courts, as well as administrative agencies, addressing issues related to discrimination, breach of contract, and other legal claims stemming from reductions-in-force and reorganizations.

- Assisted media company with nationwide, involuntary reductions in force
- Advised food supplier company with an involuntary reduction in force

DISCRIMINATION, HARASSMENT, RETALIATION, WHISTLEBLOWER

We provide advisory services to our clients, offering guidance on proactive strategies such as implementing policies, conducting training sessions, and carrying out investigations. In addition, we have extensive experience handling litigation related to various forms of discrimination, harassment, and retaliation in the workplace.

- Counseled national religious based organization regarding compliance with federal and state employment laws and regulations
- Conducted training sessions for supervisors regarding fair employment laws and best practices
- Secured defense verdict on behalf of a public employee following a 16-day jury trial involving claims of civil conspiracy, malicious prosecution, abuse of process, intentional infliction of emotional distress, and negligence
- Tried to verdict labor arbitration cases, including discharge and discipline cases, contract interpretation issues, work jurisdiction claims, and most other common grievances arising under collective bargaining agreements
- Defended county school board in federal district and appellate court against a high-profile claim that it was liable for enforcing new state legislation claimed to violate Equal Protection and Title IX

DUE DILIGENCE/ CORPORATE GOVERNANCE

We represent both due diligence and corporate compliance matters and frequently assist employers in creating compliance programs that adhere to industry standards.

- Assist with Department of Labor audits
- Advised aluminum casting manufacturer on bargaining matters for multiple collective bargaining agreements
- Counseled construction company through a union organizing election, which the company won by a large margin, and then defeated the union's attempt to overturn the election

EXECUTIVE EMPLOYMENT CONTRACTS/EMPLOYMENT CONTRACTS/SEVERANCE AGREEMENTS

We routinely negotiate and draft employment and severance agreements on behalf of corporate clients, including issues related to tax, stock options, and benefit packages.

- Successfully represented a professional e-sports player in an American Arbitration Association arbitration with his former agent
- Represented medical professional exiting his current practice in a shareholder dispute action, negotiating buyout and settlement with prior entity, and then assisting with setup and structure of new practice entity

RESTRICTIVE COVENANTS**(NON-COMPETITION/ NON-SOLICITATION AGREEMENTS/CONFIDENTIALITY)**

We handle the preparation, interpretation, and enforcement of noncompete, confidentiality, and trade secret contracts, protecting our clients' interests and minimizing legal risks. Our services encompass preventive strategies to safeguard confidential information and customer goodwill, as well as aggressive litigation when necessary.

- Won jury verdict on behalf of chemical manufacturer against corporate executive in breach of confidentiality/duty of loyalty and misappropriation of trade secrets case
- Represented corporate client in litigation against former employer for breach of the duties of loyalty and confidentiality and misappropriation of trade secrets through trial
- Secured injunctive relief in numerous cases for employers against former employees who had taken the employer's proprietary information and then attempted to interfere with the employer's existing customer relationships

WAGE & OVERTIME

We litigate wage and hour claims, including overtime and minimum wage and overtime class action lawsuits. We represent clients in wage and hour audits conducted by the U.S. Department of Labor.

- Obtained defense verdict for a national industrial cleaning enterprise in a “bet the company” collective action under the Fair Labor Standards Act
- Defended employers in wage and hour cases alleging misclassification of employees and independent contractors
- Secured defense verdict in a jury trial for Regional Hospital involving wrongful discharge, breach of contract, and West Virginia Wage Payment and Collection Act Claims

**Marcia L. Depaula****Team Leader**

(724) 749-3122

marcia.depaula@steptoe-johnson.com