

Mitchell, Williams, Selig, Gates &amp; Woodyard, P.L.L.C.

# Employment and Labor

## Primary Contact

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## Attorneys

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### Strategic counsel and in-depth knowledge of federal agency requirements, changing laws and fiduciary responsibilities to manage your HR needs.

Our team of employment attorneys is committed to finding practical solutions to HR issues that help our clients succeed in today's complex business environment. Effective representation of clients begins with prevention and we are proactive in helping employers avoid regulatory violations and claims. We work to issue spot and to resolve problems before they can occur. When disputes do arise, we vigorously pursue our clients' interests in the courtroom or through arbitration, mediation and other creative methods of dispute resolution.

Our employment team represents clients in the multitude of issues faced by HR managers and in-house counsel. We represent sole proprietors, closely held family businesses, small businesses, Fortune 500 companies, governmental entities, public schools, school districts, institutions of higher education, agriculture companies, hospitals, medical clinics, manufacturers, trade associations, churches and other nonprofit organizations.

## HIGHLIGHTS

- Experienced employment counsel with extensive knowledge of federal and state laws, regulations and compliance
- Strategic and practical guidance to navigate the complex environment of workplace issues
- Collaborative team with a client-centered focus
- Thorough and objective fact-finding for any workplace complaint or allegation

## CAPABILITIES

- Strategic counseling and employment practices
- Employment policy reviews, employment handbooks and policy audits
- Compliance with laws and regulations governing employee health information, including HIPAA, the HITECH Act, the ADA and GINA
- Policies governing data security and employee conduct while using employer-provided electronic systems and devices
- Employment contracts, including the negotiation and enforcement of agreements, and advice regarding separation
- Training and compliance concerning hiring, termination, employee discipline, employee evaluation processes, and employee compensation issues
- Evaluation, negotiation and litigation relating to non-compete and confidentiality agreements
- Executive compensation
- Breach of contract
- Restrictive covenant agreements
- Government agency actions including U.S. Department of Labor and state labor agencies

- Regulatory and administrative Investigations and compliance including Equal Employment Opportunity Commission (EEOC) and federal and state departments of labor charges and proceedings.
- Family and Medical Leave Act (FMLA) compliance and litigation
- Americans with Disabilities Act (ADA) compliance and litigation
- Fair Labor Standards Act (FSLA), including minimum wage and overtime, compliance and litigation
- HIPAA and COBRA compliance
- Drug and alcohol testing policies and employee assistance agreements which protect an employer and honor the privacy rights of employees
- Affirmative action compliance
- Sarbanes-Oxley and other whistleblower claims
- Workers compensation and other retaliatory discharge claims
- Internal investigations
- Litigation of employment discrimination claims related to age, race, sex, disability, national origin, pregnancy, religion, and sexual or other harassment
- Litigation of breach of contract, wrongful discharge, non-compete covenants and trade secrets, and retaliation and whistle-blowing

Members of the firm regularly conduct training sessions, seminars and feed-back sessions for employers in connection with employment and workers' compensation laws.