

Employment & Labor Law

Our attorneys practicing in the employment and labor relations area advise and defend management in virtually all aspects of the employment relationship.

Our employer clients range from large mining and utility companies to small service and professional firms. They benefit from our significant experience in working with corporate counsel, human resources professionals and management to develop programs designed to improve and define employment relationships and reduce the likelihood that disputes will arise. We regularly draw upon the expertise of our attorneys in other practice areas to address the distinct but related issues that often arise.

LEADERSHIP



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EMPLOYMENT &
LABOR

BUSINESS
LITIGATION

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WHAT WE DO

Our team takes an aggressive yet practical approach in providing representation in employment and labor relations matters in all courts and before various administrative agencies. The exemplary credentials held by the practice group are well-balanced by a wealth of experience serving a diverse range of clients, from sole-proprietors to multi-national corporations.

Our goal is to proactively train owners, managers and supervisors in how to prevent workplace problems and help create a respectful and productive workforce. Working closely alongside the client, the group ensures constant development of up-to-date, cutting edge employment policies, including employee handbooks, policies and agreements. We have experience in areas like wage and hour audits and labor disputes. In addition, we offer workplace training on harassment prevention and other human resource issues; assisting clients to minimize liability

exposure. These combined with providing effective counsel on day-to-day employment issues, help in preventing costly litigation.

In situations where litigation is unavoidable, we provide experienced trial attorneys ready to effectively represent clients. We represent clients in Arizona, Colorado and Nevada, and before the California Department of Fair Employment and Housing, Federal Equal Employment Opportunity Commission, National Labor Relations Board, Agricultural Labor Relations Board, California State Labor Commissioner, Federal Department of Labor, and in litigation matters in state and federal courts.

Our attorneys have significant experience in unfair competition and trade secret matters; advising new businesses and directing principals on how to properly notify prospective customers as well as protecting the customer base and proprietary information of established businesses. We also have particular expertise in union avoidance. Union organizing is anticipated to reach its highest activity in more than 30 years. Count on us to provide training and education regarding new labor laws and, specifically, the Employee Free Choice Act.

EMPLOYEE BENEFITS LAW

We have an extensive practice counseling employers on all aspects of the design, implementation, and operation of qualified retirement, profit sharing, and executive compensation plans, including employee stock ownership plans and Section 401(k) savings plans. We routinely represent employers on qualified plan matters before the Internal Revenue Service, the Department of Labor, and the Pension Benefit Guaranty Corporation. We regularly advise clients concerning fiduciary and prohibited transaction issues. We also advise employers regarding the implications and liabilities involved with participation in multi-employer union pension plans. We regularly advises clients on the tax implications and laws governing the provision of medical benefits, disability coverage, ERISA, and life insurance, including employers' liability for health continuation coverage under COBRA.

EMPLOYEE HEALTH & SAFETY

We provide legal representation and assistance to many employers on employee health and safety issues. Our employment attorneys counsel employers about their obligations to comply with federal, state and local health and safety standards. When necessary, we represent employers in all facets of employment litigation, including state and federal OSHA proceedings, and in Arizona and federal courts.

EMPLOYMENT LITIGATION

Our attorneys have substantial experience in employment-related litigation involving allegations of breach of employment contract, wrongful termination, employment discrimination, harassment, retaliation, wage and hour violations, misappropriation of trade secrets and confidential information, and other employment-related torts. We have represented clients through all phases and all types of employment litigation, ranging from individual charges and single plaintiff cases to broad-scale class and collective actions. We appear frequently on behalf of clients before federal and state administrative agencies, including the United States Department of Labor, the Equal Employment Opportunity Commission, the Arizona Civil Rights Division, and the Arizona Department of Economic Security.

EMPLOYMENT RELATIONSHIPS

We counsel employers with regard to personnel policies and procedures, individual employment decisions, drug and alcohol testing policies, and compliance with state and federal statutes and regulations. We also assist clients with drafting legally compliant employment policies and train

their supervisory work force on all applicable employment laws and regulations. Our clients are invited to attend periodic employment law seminars, at which we discuss recent developments in the law and emerging client concerns.

LABOR MANAGEMENT

We counsel clients concerning union avoidance, collective bargaining, strike management, and contract interpretation and administration. We also represent our clients in labor arbitrations, National Labor Relations Board proceedings, and in contested cases in state and federal courts.

UNEMPLOYMENT COMPENSATION

Our unemployment compensation practice includes a full range of services relating to unemployment insurance, taxes and benefits. Our clients range from large mining and utility companies to small service and professional firms. We represent employers defending against claims for benefits by ex-employees in all jurisdictions, including the Appeal Tribunal, Appeals Board and Court of Appeals. We also represent employers when the adverse party is the Arizona Department of Economic Security or the Nevada Department of Economic Security. We have participated extensively in legislative revisions to the unemployment insurance statutes and in DES rule-making proceedings to adopt or revise the voluminous set of rules that govern unemployment cases.

WORKERS' COMPENSATION LAW

We have experience in workers' compensation, and related employment and labor areas.

The needs of our employer clients require us to be responsive and qualified in all areas of employment law, including labor law, employment benefits, workers' compensation, and employee health and safety. Our employment law attorneys in each area counsel and represent clients in adversarial proceedings, including appellate proceedings. We also maintain an active legislative and lobbying practice to assist our clients in employment areas, including workers' compensation, affected by legislation.

The nature of our experience and the scope of our representation permits two benefits to flow to our clients. First, we work with in-house management and administrative representatives to improve and define employment relationships and to reduce the likelihood disputes will arise. Second, we draw upon the expertise of our attorneys in the various employment areas and address the distinct but often related issues that arise.