LEECH | TISHMAN

Labor & Employment

Leech Tishman's Labor & Employment attorneys counsel and litigate on behalf of private and public sector employers in all aspects of the employment relationship, from hiring through termination.

Our labor & employment attorneys partner with our clients to develop creative options that align with your business objectives while complying with statutory and common law requirements. Our team's understanding of the nature of the employer/employee relationship, combined with our understanding of each client's business, allows our lawyers to guide our clients to cost-effective and practical solutions.

Leech Tishman's labor & employment attorneys focus on preventing litigation. We counsel employers and offer training on many facets of the employment relationship, including but not limited to workplace harassment, performance management, discipline and discharge, terminations, and ensuring statutory compliance.

Our lawyers represent employers in employment discrimination litigation before federal and state courts, as well as federal and state administrative agencies. We also represent employers in all aspects of labor relations, including collective bargaining negotiations, grievances, arbitration and National Labor Relations Board proceedings. We have extensive experience with wage and hour practice in federal and state jurisdictions.

General Employment Counseling

- Pre-employment testing and background checks
- Employment hiring, agreements & contracts
- Use of temporary/leased/contract employees and independent contractors
- Employee handbooks/development of HR policies/HR audits
- Leaves of absence, disability accommodation & ADA compliance
- Affirmative Action and OFCCP compliance
- Family and Medical Leave Act issues and compliance
- Performance appraisals
- Disciplinary action, termination and protocols
- Reductions in force and workforce restructuring
- Severance agreements, waivers and releases
- Diversity and inclusion counseling and implicit bias training
- Payment practices

In addition to our general employment counseling services, our Labor & Employment attorneys also offer nine additional areas of focus:

Employment Litigation & Appeals

- Employment discrimination litigation
- Employer representation before federal and state courts and administrative/government agencies
- Enforcement of restrictive covenants
- Defamation
- Employment at-will/wrongful discharge
- Unemployment compensation claims
- Joint employer liability
- Navigation of "most favored nation" status
- Compliance with WARN Act and state-level WARN regulations

Alternative Dispute Resolution & Administrative Law

- Mediation, arbitration and early neutral evaluation
- Internal conflict resolution program/policy design, training and implementation
- Private dispute resolution services

Immigration

- Temporary/professional work visas (H1-B, TN, L-1, O-1, E-1, E-2, O-1, P-1, H-2B, B-1)
- International student/researcher issues (J-1, F-1, STEM-specific issues, NIW petitions, Schedule A/B physician issues)
- Permanent residence (work and family-based)
- Labor certifications/PERM
- Employer sanctions and assistance with government audits
- Appeals before state, federal, governmental and administrative agencies
- Personal representation and filings for consular processing
- Citizenship/naturalization

Employee Benefits & Executive Compensation

- Qualified and retirement plan counseling
- Welfare and fringe benefit plan counseling
- Executive and non-qualified deferred compensation
- Plan design and consulting for tax-exempt organizations and governments

LEECH | TISHMAN

Discrimination, Harassment & Retaliation

- Sexual and workplace harassment prevention and remediation
- Representation before Equal Employment Opportunity Commission and city and state human relations commissions
- “Whistleblower” protections

Wage and Hour & Pay Equity

- Fair Labor Standards Act compliance and related issues
- Representation before Department of Labor Wage & Hour Division and National Labor Relations Board
- Employee classification
- Pay practice reviews and pay equity considerations

Workplace Safety, Privacy & Investigations

- Compliance with OSHA/state OSHA regulations
- Workplace accidents
- Environmental counseling
- Electronic communications monitoring
- Protection of employee medical/personnel records
- Data breach/security incidents
- Workplace investigations involving employee misconduct

Trade Secrets & Noncompetition

- Enforcement of trade secrets and restrictive covenants
- Confidentiality agreements
- Nonsolicitation agreements
- Unfair business competition laws

Traditional Labor Law

- Labor management relations
- Collective bargaining
- Grievance administration
- Arbitration
- National Labor Relations Board proceedings
- Public sector labor relations
- Strikes, picketing, and boycott advice