

Babst Calland's Employment and Labor Services Group has significant experience in providing employers with advice and counsel in all aspects of employment and labor law, and related litigation.

A multitude of federal, state and local laws regulate the employment relationship. The Employment and Labor Services Group at Babst Calland possesses broad capabilities to guide employers through the maze of laws and regulations created by the:

- ADA (Americans with Disabilities Act);
- ADEA (Age Discrimination in Employment Act);
- ERISA (Employee Retirement and Income Security Act);
- FLSA (Fair Labor Standards Act);
- FMLA (Family and Medical Leave Act);
- NLRA (National Labor Relations Act)
- WARN (Worker Adjustment and Retraining Notification Act); and
- Title VII of the Civil Rights Act of 1964, among others.

Our employment and labor attorneys use their wide range of experiences to help make sense of the problems employers face in this complex area of the law. Some of our attorneys have honed their skills through years of rendering legal services to employment and labor clients while others have had significant experience working within corporate human resource departments. Collectively, our experiences permit the group to provide sound and cost-effective advice in managing any employment and labor issue.

Counseling Services to Avoid Human Resource Problems

The first step to cost-effective representation is to assist clients in establishing sound human resource management before a potential problem arises. Our attorneys spend significant time providing human resources support to employers regarding their obligations under federal, state and local laws from hiring to termination. We develop and audit employment policies and practices. We also provide ongoing advice and training regarding employment discrimination, workplace harassment, disability accommodation, FMLA and COBRA administration, discipline, drug and alcohol testing, employee privacy issues, workplace violence and employee benefits. Our attorneys develop and review employment contracts and methods to ensure that employers are taking all necessary steps to protect their trade secrets and confidential information.

Labor Relations Services

Babst Calland employment and labor attorneys also possess vast experience dealing with unions, whether it be a union that currently represents a client's workforce or a union seeking to represent that workforce. This experience includes negotiating collective bargaining agreements, responding to information requests, arbitration, contract disputes, handling unfair labor practice charges, responding to secondary boycotts and addressing the multitude of issues that arise in preparing for and dealing with strikes. We also assist employers in avoiding unionization through supervisory training and election.



Litigation Services

Regardless of an employer's commitment to preventive human resource management, employment and labor litigation is a cost of doing business. The Employment and Labor Services Group has significant experience defending employers against employment discrimination claims, wrongful discharge claims and employee benefits claims. Our attorneys also have litigated numerous breach of contract actions emanating from the employment relationship and the enforcement or defense of restrictive covenants and non-competition agreements. In keeping with our goal of cost-effective representation, our attorneys actively participate in alternative dispute resolution and will pursue that option when it makes business sense for the client to do so.



Acquisition and Divestiture Services

Our attorneys interface with Babst Calland's Corporate and Commercial Group to assist with due diligence by reviewing collective bargaining agreements, benefit plans and human resource policies. We also assist with the preparation and negotiation of closing documents where employment and labor issues are involved. Additionally, we assist employers with the negotiation of severance agreements and in planning and implementing reductions in force when necessitated by a business transaction or the economy.

Overall, the Employment and Labor Services Group is poised to provide employers with a full-complement of services in a practical and cost-effective manner.

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