

Hodgson Russ attorneys in our Labor & Employment Practice Group have extensive experience counseling public and private and union and non-union clients in matters involving a wide range of labor and employment laws. We generally represent management only.

Hodgson Russ clients come from a wide range of occupational backgrounds, including:

- ▶ Broadcast media
- ▶ Financial institutions
- ▶ Food service
- ▶ Health care providers
- ▶ Manufacturers
- ▶ Municipalities
- ▶ Retail businesses
- ▶ School districts
- ▶ Service providers
- ▶ Technology companies
- ▶ Other businesses

We assist CEOs, CFOs, human resources professionals, employee benefits managers, and corporate counsel from companies headquartered across the United States and around the world with legal issues relating to managing employees and union relations.

Our philosophy

Hodgson Russ labor and employment attorneys focus on preventive steps first. Avoidance of litigation and human resource problems is the most efficient method of minimizing the risk of costly employment disputes. However, should a dispute occur, Hodgson Russ attorneys are well prepared to assist clients in resolving disputes with current and former employees and the unions that represent them. Keeping Hodgson Russ clients' fiscal, operational, and public relations needs in mind, our attorneys always aim to do this without formal litigation, often using mediation from the Equal Employment Opportunity Commission Mediation Program,

the Federal Mediation and Conciliation Service, and the State Employment Relations Board. In cases where it is impossible to arrive at a resolution short of litigation, Hodgson Russ attorneys aggressively seek favorable results before arbitrators, administrative agencies, and the courts.

Employment law

Hodgson Russ's labor and employment law practice, which has grown in scope for more than 50 years, includes extensive capabilities in matters involving the National Labor Relations Act, the Public Employees' Fair Employment Act, and the Fair Labor Standards Act, as well as numerous civil rights laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, Title VII, the New York State Human Rights Law, and other laws regulating an employer's relationship with its employees.

Hodgson Russ attorneys have extensive experience representing clients in state and federal courts as well as alternative dispute resolution forums, such as mediation and arbitration, and regularly represent clients in contested proceedings, including administrative hearings, trials, motions, and appeals.

Hodgson Russ attorneys provide counsel to employers on issues including:

- ▶ Employment discrimination avoidance
- ▶ Pre-employment applications, employment contracts, restrictive covenants, confidentiality and non-compete agreements, employment contracts, and employee handbooks
- ▶ Affirmative action and OFCCP compliance reviews for federal contractors
- ▶ Effective, defensible programs for drug testing, family leave, attendance improvement, supervisor training, occupational safety and health, employee benefits, work force reduction, and sexual and other unlawful harassment avoidance
- ▶ Federal and state wage and hour laws

Hodgson Russ defends employers in adversarial proceedings by:

- ▶ Representing employers before the Equal Employment Opportunity Commission and state fair employment practices agencies
- ▶ Investigating charges and complaints
- ▶ Providing counsel and representation in court proceedings
- ▶ Representing employers in proceedings before the National Labor Relations Board and state labor agencies
- ▶ Handling hearings and appeals before other federal and state administrative agencies
- ▶ Providing counsel on handling grievances, including drafting grievance answers
- ▶ Providing representation during arbitration through witness preparation and evidence gathering, preparation of pre-hearing statements, presentation of employer's case at hearings, and writing post-hearing briefs
- ▶ Providing representation in audits of wage and hour and other employment practices by state and federal agencies

Labor law

Hodgson Russ labor attorneys assist clients in managing union relationships. We also help clients who want to maintain union-free status by:

- ▶ Providing counsel on labor practices to identify weaknesses before problems are encountered
- ▶ Counseling and training supervisors and managers
- ▶ Providing advice on responses to union-organizing campaigns
- ▶ Providing advice on bargaining unit issues and employer campaigns in NLRB representation elections

Hodgson Russ attorneys help clients deal with unions that represent their employees by:

- ▶ Recommending strategic plans for negotiations
- ▶ Serving as spokespersons at the bargaining table

- ▶ Analyzing cost and consequences of proposals
- ▶ Working with mediators and other neutrals
- ▶ Drafting proposals, counter proposals, and final contract language
- ▶ Analyzing collective bargaining agreements
- ▶ Counseling on strike or lockout strategies
- ▶ Advising on documentation of incidents (affidavits, investigations)
- ▶ Instituting legal proceedings when necessary, including actions for temporary restraining orders and preliminary or permanent injunctions
- ▶ Defending unfair labor practice and improper practice charges
- ▶ Assisting in filing charges where appropriate

Scope of representation

Hodgson Russ attorneys practice before all government agencies and courts that adjudicate employment and labor matters, including:

- ▶ All courts in New York and Florida
- ▶ Equal Employment Opportunity Commission
- ▶ Federal District Courts, U.S. Circuit Courts of Appeals, and U.S. Supreme Court
- ▶ National Labor Relations Board
- ▶ Public Employment Relations Board
- ▶ State fair employment practices agencies
- ▶ U.S. Department of Labor

The Hodgson Russ advantage

To help our clients stay informed, Hodgson Russ attorneys provide electronic updates and reports on new labor and employment laws and changes to existing laws. Hodgson Russ's Labor & Employment Practice Group regularly presents conferences and on-site training sessions for executives, managers, and supervisors. These services allow clients to evaluate, manage, and head off situations that might result in litigation.

For more information about the labor and employment services available at Hodgson Russ, please contact:

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