

Labor & Employment

Related Practices

Litigation

Related Industries

Automotive Industry Group

Automotive, OEM & Supplier Litigation

Dental Service Organizations Industry Group

Electric Transmission

Energy Litigation & Appeals

Food & Beverage

Overview

Ranked as a 2018 national “Best Law Firm” in Litigation - Labor & Employment by *U.S. News - Best Lawyers*[®], Dykema’s team of labor and employment lawyers applies in-depth knowledge of ever-changing legal issues to the representation of corporate and public employers in such diverse fields as retail, manufacturing, construction, transportation, banking and finance, health care, government and education.

Dykema provides strategic counsel on all employment-related issues, from civil rights and employee benefits to union negotiations, immigration and litigation. With our advice, clients can navigate and comply with complex laws and meet specific employment-related objectives. Dykema also maintains a labor and employment law blog (www.laboremployment-lawblog.com), in which attorneys highlight important legal developments with practical implications for companies in all industries.

Employment Litigation

When litigation of employment claims is necessary, Dykema’s attorneys draw upon a wealth of experience in defending these lawsuits in federal and state courts as well as before administrative agencies. That experience allows Dykema to tailor a defense to each client that is focused upon the needs of the business, as well as the exigencies of the litigation. The Firm recently ranked as a “Litigation Powerhouse” in Employment in the *BTI Litigation Outlook 2018* report, based on direct client feedback from in-depth interviews with corporate counsel at the world’s largest companies. **Read more.**

Unions and Collective Bargaining

Chambers USA 2018 recognizes Dykema’s “robust” and “highly active” labor and employment attorneys as “very deep in their knowledge base and areas of expertise” – essential attributes for successfully negotiating collective bargaining agreements, combating organizing campaigns in your workplace, representing employers in labor arbitrations, and addressing allegations of unfair labor practices. **Read more.**

Employment Counseling

Dykema attorneys understand that preventing employment disputes is preferable to litigating them, and work closely with clients to develop and implement policies and procedures tailored to the unique labor and employment challenges faced by your organization. Clients note that Dykema “provides excellent support for sensitive decisions” (*Best Law Firms 2018*). **Read more.**

ERISA Litigation

Allegations of improper conduct under ERISA—whether based in complex claims for breach of fiduciary duty or taking the form of a simple denial of benefits claim—pose their own set of unique challenges. Dykema’s attorneys are experienced in the defense of ERISA litigation at both the trial and appellate level. **Read more.**

Immigration

Companies operating globally need the best talent available, and the ability to relocate employees to meet business needs. We offer a complete portfolio of employment-based U.S. immigration-related services that includes temporary and permanent visa processing procedures, PERM labor certification applications, as well as family-based immigration sponsorship and naturalization assistance. **Read more.**

Non-Compete, Unfair Competition and Trade Secrets

Disputes over non-compete agreements often position employers against each other, particularly in the technology industry. We have handled litigation representing both employees' former and new employers and are prepared to help our clients to seek and resist applications for temporary restraining orders and permanent injunctions, as well as to prosecute and defend claims of tortious interference with employment contracts and misappropriation of trade secrets. **Read more.**

Wage & Hour

Wage and hour issues can cost an employer more than money: problems in this area also tend to be disruptive to the workplace and invite government scrutiny. Our employment attorneys are well-versed in the wage and hour laws and help clients bring their payroll practices into compliance and keep them that way. **Read more.**

Publications

"'Dr. Phil' Case Shows Limits Of Employer Enforcement Power"
July 27, 2017
Law360

"Evaluating Effect Of Bad Atty Advice On Case-By-Case Basis"
July 17, 2017
Law360

"Are Independent Contractors on Life Support?"
Winter 2017
State Bar of Michigan Labor and Employment LawNotes

"Noncompete Agreements Under Michigan Law"
December 2016
Michigan Bar Journal

"Rejection of \$84 Million Class Action Settlement Sends Uber Back to the Starting Line"
August 31, 2016
Inside Counsel

Laura Worsinger Quoted in *SHRM* Review of California Sick-Leave Laws
July 12, 2016

"LA Paid Sick Leave Law: Another Bitter Pill To Swallow"
July 1, 2016
Law360

"Examining The EEOC's Broad Interpretation Of Title VII"
March 11, 2016
Law360

"Make that Thirteen Labors: FCPA requirements present Herculean labor for compliance officers"
July 17, 2015
Metropolitan Corporate Counsel

"Preparing for the new Cook County wage theft ordinance"
March 30, 2015
Chicago Daily Law Bulletin

Labor & Employment (Cont.)

"Implementing the New Illinois Pregnancy Fairness Laws"

January 28, 2015

Chicago Daily Law Bulletin

"NLRB Is Showing More Interest In Nonunion Employers"

January 16, 2015

Law360

"Court to examine accommodations for pregnant workers"

November 2014

Chicago Daily Law Bulletin

"Medical Practices Must Be Careful When Firing Incompetent Staff"

November 19, 2014

Physicians News Digest

"Civil Rights Discrimination Under the Affordable Care Act"

November 2014

Metropolitan Corporate Counsel

"Chinese EB-5 Visa Update"

November 2014

Inside Counsel

"NLRB Decision Shocks Franchise World: McDonald's, A 'Joint Employer' of Franchisee Employees"

October 3, 2014

Metropolitan Corporate Counsel

"Unpaid internships an unseen liability"

September 22, 2014

Inside Counsel/Labor & Employment Digest

"Effective Non-Compete Agreements Require Careful Crafting by Employers"

September 19, 2014

Bloomberg BNA Daily Labor Report, 182 DLR-I-1

"EEOC Fires Shot At Hobby Lobby Ruling"

August 28, 2014

Dykema Labor & Employment Blog

"Dealing With Employees Who Are Suing Your Company"

August 19, 2014

Corporate Counsel

"EEOC Issues New Enforcement Guidance On Pregnancy Discrimination And Related Issues, Despite Strong Dissenting Opinions By Two Commissioners"

August 7, 2014

Dykema Labor & Employment Blog

"Sixth Circuit Deals Fatal Blow to RICO Claims Based on Alleged Conspiracies To Deny Workers' Compensation Benefits, (a/k/a "Loss Or Diminution Of Worker's Compensation Benefits Does Not Spell RICO")"

August 4, 2014

Dykema Labor & Employment Law Blog

"Unpacking the EEOC's increased scrutiny of severance agreements"

June 12, 2014

InsideCounsel

"Federal Government Continues Targeting Hiring Practices of U.S. Employers"

June 2014

Metropolitan Corporate Counsel

Labor & Employment (Cont.)

“To Conciliate or Not to Conciliate? The Company’s Defense to Early EEOC Suits”

May 29, 2014

InsideCounsel

“Is the EEOC’s Focus on Background Check Policies on Shaky Ground?”

May 14, 2014

InsideCounsel

“SCOTUS Extends Sarbanes-Oxley’s Whistleblower Protection to Employees at Private Companies”

May 1, 2014

InsideCounsel

“The EEOC Offers Guidance on Religious Garb and Grooming in the Workplace”

April 17, 2014

InsideCounsel

“Can Disparaging Posts Prompt Employee Discipline?”

March 26, 2014

Chicago Daily Law Bulletin

“Zero Tolerance”

December 2013

Convene Magazine

“The ‘n’-Word: (N)Ever Contextually Appropriate, In The Workplace?”

October 28, 2013

Dykema Labor & Employment Blog

“Braced For Federal Government Shutdown: Agency Contingency Plans”

October 2, 2013

Dykema Labor & Employment Blog

“Conference Session Recap: Mass Torts Settlement” for “Jeopardy! Mass Torts Settlement Style” Panel, ABA, Section of Litigation, Alternative Dispute Resolution e-newsletter

Vol. 17, No. 4 (Summer, 2013 edition)

“Michigan Supreme Court Disavows and Clarifies Whistleblower Motivation,” *Dykema Labor & Employment Blog*

June 20, 2013

“New FMLA Regulations Require Employer Attention”

March 26, 2013

Dykema Labor & Employment Blog

“EEOC Decision Regarding Transgender Employees May Mark A Turning Point”

July 20, 2012

Dykema Labor & Employment Blog

“Changing Times: How Employers Can Address New NLRB Rules that Increase the Chance of Unionization”

June 2012

Smart Business Detroit

“Employee Seating Requirements In California”

January 10, 2012

ACC Lexology Website

“Wage and Hour Issues in Home Health—The Impact of Proposed Changes in the Companionship Exemption”

December 2011

LTC-SIR Advisor, American Health Lawyers Association

“California Transparency in Supply Chains Act”

December 19, 2011

ACC Lexology Website

Labor & Employment (Cont.)

"Holiday Pay and Year-End Gifts/Bonuses—Frequently Asked Questions"
November 2011

"New California Employment Laws"
October 19, 2011
ACC Lexology Website

"Leasing Employees—Be Aware of Joint Employer Obligations"
October 2011

"Workforce Reductions—Avoiding Legal Pitfalls"
September 2011

"Genetic Information Nondiscrimination Act—What Employers Need To Know"
August 2011

"Caregiver Discrimination—Employer Best Practices"
July 2011

"Feds Continue Audits of Immigration Violations: Owners, Managers Face Fines, Asset Seizure and Prison"
June 2011

"The Importance of Job Descriptions"
April 2011

"Strategies to Address Workplace Violence"
March 2011

"Employee Terminations—Best Practices"
February 2011

"Employment Law —What’s in Store for 2011"
January 2011

"State and Federal Regulations Impacting California Employers in 2011"
January 12, 2011
ACC Lexology Website

Speaking Engagements

New Michigan Employment Laws Require Employment Policies to Undergo an Immediate Triage
January 24, 2019

Here Today, but not Tomorrow or the Next: Leaves of Absence
November 7, 2018

Key Issues for Employers: Investigations and Harassment
Tuesday, October 2 or Thursday, October 4, 2018

Blockin’ & Tacklin’: Discussing the Fundamentals to Complex Employment Issues
August 3, 2018

Title IX Compliance Obstacles and Best Practices in the Era of the #MeToo Movement
July 31, 2018

Silver Bullet or Fool’s Gold? Arbitration Agreements Post-Supreme Court’s “Green Light” in Epic Systems
June 13, 2018

Conducting An Internal Investigation: Potential Legal Pitfalls and Pointers to Reduce Legal Risks
June 12, 2018

#MeToo #TimesUp #AllRaise #MentorHer – Legal Implications for Employers and Tips to Avoid Being Part of the Next Social Media Movement
May 4, 2018

Labor & Employment (Cont.)

Proactive Measures for Employers in the #MeToo Era
April 17, 2018

The Illinois Biometric Information Privacy Act: Litigation Risks and Best Practices for Employers and Others
March 7, 2018

Identification, Prevention and Response: Workplace Violence and Active Shooter
February 9, 2018

2018 California Employment Law Update
February 1, 2018

The Best Defense to Employment Law Claims: Good Investigations
December 12, 2017

The Best Defense to Employment Law Claims: Good Investigations
November 3, 2017

Prohibited Workplace Harassment and Current Employment Law Trends
September 12 & 13, 2017

What You Don't Know About Anti-Harassment That You Better Learn
August 11, 2017

A Pound of Prevention
June 7, 2017

Cyber Theft (and Regular Theft) of Employee and Company Data
May 5, 2017

FLSA Update, Institute of Continuing Legal Education 42nd Annual Labor & Employment Law Institute, Northville, Michigan
April 20, 2017

Perceived Disability and Fitness for Duty, Institute of Continuing Legal Education 42nd Annual Labor & Employment Law Institute, Northville, Michigan
April 20, 2017

Employment Law Under the Trump Administration – Possibilities and Expectations
April 19, 2017

Policy and Enforcement Changes Under the New Presidential Administration, Laredo Association for Human Resources Management
April 12, 2017

Employment Law in California in the Era of Trump – What Will the Administration Do and Will it Matter for the Golden State?
March 23, 2017

FLSA Hot Topics, ABA's Federal Labor Standards Legislation Committee Midwinter Meeting
February 23, 2017 and June 1, 2017 webinar

Employment Law Under the Trump Administration - What Does the Future Hold and Should We "Tweet" About It?
February 3, 2017

The New DOL Overtime and White Collar Exemption Regulations: They're Here, Now What?, American Conference Institute's 29th National Forum on Wage & Hour Claims and Class Actions, Miami, Florida
January 26, 2017

The New DOL Overtime Exemption Regulations Are in Flux - Now What?, American Conference Institute's 29th National Forum on Wage & Hour Claims and Class Actions, Miami, Florida
January 26, 2017

Radical Changes to the Legal Landscape are Causing HR Officials Angst, seminar, Greater Ann Arbor SHRM, Ann Arbor, Michigan
November 15, 2016

Labor & Employment (Cont.)

Are You Ready for the New Overtime Regulations?

October 13, 2016

New Rules: Overtime Exemptions and the New Salary Level, Washtenaw County Bar Assn., Ann Arbor/Ypsilanti Chamber of Commerce, and Ann Arbor SPARK

October 10, 2016

New Rules, New Problems – What to Anticipate Under the FLSA's New Regulations...and More, ASE's 5th Annual Employment Law Workshop

September 21, 2016

Harassment, Retaliation and the Pending November Elections

September 15, 2016

An Employment Triple Threat: New OSHA Regulations, New Wage Hour Regulations, and Use of Independent Contractors, South Texas Manufacturers Association

August 23, 2016

Navigating the DOL's Overtime Exemption Regulations—Detroit

June 16, 2016

Navigating the DOL's Overtime Exemption Regulations—Troy

June 13, 2016

Navigating the DOL's Overtime Exemption Regulations—San Antonio

June 10, 2016

Navigating the DOL's Overtime Exemption Regulations—Chicago

June 9, 2016

Will Your California Business Be Able to Survive the New Department of Labor Overtime Rules?

June 9, 2016

Navigating the DOL's Overtime Exemption Regulations—Dallas

June 8, 2016

Avoiding Overtime Pay Liability: The Latest Enforcement and Regulatory News for the DOL and Common Compliance Landmines Every Employer Should Avoid, Michigan HR Day Conference, Lansing, Michigan

April 13, 2016

Are you planning for the new overtime exemption rules? You should be.

March 31, 2016

Labor and Employment Workshop

February 5, 2016

Attendance, Leaves of Absence and Reasonable Accommodations, Dykema Cox Smith Employer Rights Workshop

November 6, 2015

Women's Issues in the Workplace, Moderator, Pasadena, California

September 2015

Texas Anti-SLAPP Law, Speaker and Course Director, State Bar of Texas Business Disputes Course, Dallas, Texas

September 10-11, 2015

Texas Anti-SLAPP Law, Speaker, TADC 2015 Annual Meeting, New York, New York

September 16 - 20, 2015

Terminations: Best Practices, Worst Mistakes, Creative Resolutions, Moderator, Pasadena Bar Association, Labor & Law Section

August 2015

Workplace Investigations, Dykema Cox Smith Workshop, San Antonio, Texas

August 7, 2015

Labor & Employment (Cont.)

Affordable Care Act Employer Reporting: Tools for Navigating IRS Forms 1094 and 1095, Dykema Cox Smith Continuing Legal Education, ACA Employer Reporting Requirements, San Antonio, Texas
August 2015 & 2016

Avoiding Employee Lawsuits, California Fashion Association
July 15, 2015

Hot Tips from Cool Mediators: Strategies, Solutions, Trends, and How Not to Blow It, Pasadena Bar Association, Labor & Employment Law Section
June 2015

Shared Responsibility: Women and Men for Gender Equality, POWER: Opening Doors for Women Conference, Chicago, Illinois
June 11, 2015

Common Mistakes Employers are Making in the Workplace Today, Dykema Cox Smith Employment and Employer Rights Workshop
May 8, 2015

Building a Book of Business - A Step-by-Step Pitch Simulation, Corporate Counsel Women of Color One-Day Law Firm Associates Career Strategies Conference, New York, New York
April 2015

Wage/Hour: Developing and Emerging Trends: PAGA, Class Actions, Settlement and Legislative Moderator, Pasadena Bar Association, Labor & Employment Law Section
April 2015

California's New Paid Sick Leave Law Not an Easy Pill to Swallow, California Fashion Association
February 2015

Microinequities and Potential Crash and Burn: Are You at Risk?, 2015 International Association of Defense Counsel (IADC) Midyear Meeting
February 17, 2015

The Impact of Misclassification of Workers, 2015 International Association of Defense Counsel (IADC) Midyear Meeting
February 16, 2015

Small Business Legal Academy, Wayne State University, Faculty Member, Human Resources
February 14, 2015

EEOC Charge Conciliation: Navigating On-Site Investigations, EEOC Conferences, Settlement Negotiations, Strafford Webinar
December 15, 2014

Building a Successful Employment Law Practice, Moderator-Panelist, Pasadena Bar Association, Labor & Employment Law Section
November 2014

When an Employee Sues the Boss: Managing the Legal Risks of Retaliation Claims and Other Workplace Headaches, Commercial Law WebAdvisor Webinar
October 30, 2014

The Art of the Ask, Panelist, 5th Annual POWER Detroit Conference, Detroit, Michigan
October 23, 2014

Fun with ERISA Litigation: On ERISA's 40th Birthday, Four Top Cases from 2014, and Four Lessons for Plan Sponsors, Dykema Labor & Employment Seminar
October 2014

Changes in Life Circumstances: Pregnancy, Caregiving Responsibilities and Aging Workforces, Dykema Employment Seminar
October 16, 2014

Labor & Employment (Cont.)

Navigating the Turbulent Waters of Workplace Compliance and Litigation
October 16, 2014

Issues Involving Social Media in Employment Law Disputes, 2014 Hispanic National Bar Association Convention
2014

Employment Eligibility Verification and Enforcement Update, Original Equipment Suppliers Association
October 2013

EEOC's Strategic Enforcement Plan and Guidance on the Consideration of Arrest and Conviction Records, HR Group
September 18, 2013

Some Avoidable Legal Hazards & Snares, Management Team
August 8, 2013

Dykema Employment Litigation Insights, Michigan State Management Education Center
June 4, 2013

Disaster Averted, Mass Tort Resolved—Settling Mass Tort Disaster Cases, ABA, Section of Litigation, ADR Committee CLE,
Moderator
April 26, 2013

HR 101 - The Nuts and Bolts Every HR Professional Must Know, Cox Smith Employment and Employer Rights Workshop, El
Paso, Texas
March 28, 2013

Right to Work—What Will It Mean to You, the Employer?, Michigan State Management Education Center
January 8, 2013

Wage and Hour Enforcement—Behind the Curtain, Dykema Labor & Employment Seminar
November 2012

Employee Retaliation Claims: Growing Litigation Threat, Strafford Publications Webinar
August 21, 2012

Meet the Rainmakers: Business Development Tips for Solos & Aspiring Partners, The State Bar of Michigan Young Lawyers
Section, 5th Annual Summit
June 16, 2012

National Labor Relations Act Update
April 19, 2012

Roadmap to Avoid Employment Related Lawsuits, Cox Smith Employment and Employer Rights Workshop
March 1, 2012

Know the Enemy and Know Yourself—Five New Tactics in FLSA Disputes and Five Ways to Prepare, Dykema Labor &
Employment Seminar
November 2011

Exploring Legal Issues Affecting Employers and Offering Proven Solutions, Dykema Employment Seminar
November 15, 2011

Supreme Court Update on Workplace Retaliation and Effective Retaliation Litigation Strategies for Employers, Dallas Bar
Association Labor and Employment Section, Dallas, Texas
July 18, 2011

ADA Amendments/GINA/Privacy - What you Need to Know and What You Should Know, Cox Smith Employment and
Employer Rights Workshop
May 6, 2011

A Ways to Go, Celebrating and Realizing the Dream of Freedom for All Americans, Youth Advocacy Coalition, Harmony Point
CTC
January 17, 2011

Labor & Employment (Cont.)

EEO in the Crossfire, Puerto Rico Association of Labor Relations Practitioners, San Juan Puerto Rico
November 11, 2010

2010 Employment Seminar
November 10, 2010

Platinum in the Legal Profession: A Conference Highlighting African American Leadership in the Law, Panelist, The State Bar of Michigan Young Lawyers Section and the Platinum in the Legal Profession Committee
October 22, 2010

Rainmaking in a Slow Economy & Despite the Crash, Burn & Microinequities, Thomas M. Cooley Law School
July 1, 2010

College and Career Planning, Each One Teach One, presentation to middle and high school students regarding success mentality, collection selection, and resume
May 22, 2010

Make It Rain in a Slow Economy & Despite the Crash, Burn & Microinequities, Women Lawyers Association of Michigan, Washtenaw Region
January 29, 2010

From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms, Women Lawyers Association of Michigan and Vanzetti Hamilton Bar Association "Bias Awareness Week" luncheon
October 19, 2009

Rainmaking in a Slow Economy & Despite the Crash, Burn & Microinequities, Thomas M. Cooley Law School
October 7, 2009

Top 10 Mistakes Employers Make Under the FMLA, North Texas Society for Human Resources Management, Denton, Texas
October 28, 2008

Some Avoidable Litigation Perils & Pifalls, Management Team
July 16, 2008

Spoilation, Hot Topics in Evidence, Michigan ICLE
May 29, 2008

Your Legal Career, Career Day, West Hills Middle School
April 24, 2008

Reductions in Force: Strategies to Minimize Litigation Risks in Downsizing, Dallas Bar Association North Dallas Clinic, Dallas, Texas
March 14, 2008

Workplace Investigations, ABA Section of Labor and Employment Law Annual CLE Conference, Philadelphia, Pennsylvania
October 8, 2007

Ethical Issues in the Representation of Multiple Parties, 24th Annual Georgetown University Law Center's Employment Law and Litigation Institute, Washington, D.C.
April 6, 2006

Conducting Effective Investigations: A Practical Guide, 23rd Annual Georgetown University Law Center's Employment Law and Litigation Institute, Washington, D.C.
April 22, 2005