

## 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*<sup>®</sup>, 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](http://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

"Marijuana in the Texas Workplace"

March 1, 2019

*ACC Docket (South/Central Texas Edition)*

"Dealing with Dynamex"

January 30, 2019

*Daily Journal*

"'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*

Labor & Employment (Cont.)

"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*

"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*

Labor & Employment (Cont.)

"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*

"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

*Convence 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*

Labor & Employment (Cont.)

"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*

"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

Where Does it Stop: The Expanding World of Discrimination Claims

February 15, 2019

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

Labor & Employment (Cont.)

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

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

Labor & Employment (Cont.)

*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

*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

Labor & Employment (Cont.)

*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

*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



Labor & Employment (Cont.)

*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

*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

Labor & Employment (Cont.)

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

*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