

# Labor and Employment

Employers in many business sectors (including health care, professional and financial services, manufacturing, construction, transportation, government, and energy) rely on Krieg DeVault to identify problems that can develop into employment disputes, and to effectively prevent or resolve them. Our labor and employment lawyers craft customized solutions to ensure compliance with national and state labor laws, minimize workplace disputes, and maximize strategic advantage if litigation is necessary. We pride ourselves on responsiveness, so we are on-call to handle urgent issues involving sexual harassment, termination, or employment eligibility. To assist with preventing potential problems, we advise on personnel policies, draft employee handbooks, conduct internal investigations, and train supervisors on compliance responsibilities. When necessary, we are strong advocates for our clients in state and federal trial and appellate courts, before the Equal Employment Opportunity Commission, the Indiana Civil Rights Commission, the Indiana and United States Departments of Labor, the Illinois Department of Human Rights, and other administrative agencies.

## Focus Areas

### On-Call Consultation

- FMLA, ADA, ADEA, Title VII and Indiana and Illinois Civil Rights, OSHA, FLSA and Wage Laws
- Military Leave
- Sarbanes-Oxley
- OFCCP and E-Verify
- I-9 and Immigration
- Interviewing and Hiring
- Performance and Discipline
- Promotion and Demotion
- Termination
- Worker's Compensation Laws
- Unemployment Benefits
- Employee Benefits
- Workplace Investigations
- Record Retention
- Work Place Privacy and Violence
- Drug and Alcohol Screening
- Drug-free Work Place

### Policy and Procedure Audits

- Employee Handbooks
- Code of Ethics
- Confidentiality and Trade Secrets
- Computer and Internet Use
- Human Resources
- Performance and Discipline Forms
- Wage and Hour Audits

### **Contract Drafting and Review**

- Employment Contracts
- Leased and Shared Employees
- Non-Competition and Non-Solicitation
- Confidentiality and Trade Secrets
- Severance Agreements
- Releases (ADEA-Compliant)
- Executive Agreements

### **Union Issues**

- NLRA and NLRB
- Union Organizing

### **Employee Benefits**

- Executive Compensation
- IRS Compliance (409A and 280G)
- COBRA
- Health and Welfare Plans

### **Wages and Compensation**

- Non-exempt and exempt status
- Overtime Calculation
- Vacation Pay
- Prevailing Wage
- FLSA exemptions
- Withholdings - Federal and State
- Garnishments
- Wage Withholdings
- State Acts
- QDROs
- COBRA
- Executive Compensation (409A and 280G)

## Personnel Management

- Reductions-In-Force
- Plant Closings
- WARN and OWBPA
- Disparate Impact Analysis
- Workforce Mergers
- Unemployment Compensation
- Restrictive Covenants
- Discipline and Suspension
- Termination
- Job Descriptions
- EEO-1 Reporting

## In-House Training

- Workplace Harassment
- Workplace Discrimination
- Supervisor Training
- FMLA, ADA, ADEA, and Title VII
- Lawful Interview Techniques
- Wage and Hour Compliance
- Workplace Privacy

## Litigation

- Prosecute and Defend Employment Contracts
- EEOC Investigations
- EEOC Mediation
- DOL Investigations
- NASD Arbitrations
- Indiana Workforce Development
- State and Federal Court Litigation
- State and Federal Court Appeals
- State and Federal Agencies
- Preliminary Injunctions
- Temporary Restraining Orders
- Workplace Violence Protective Orders
- Worker's Compensation Board