

Labor & Employment

Gresham Savage offers its clients the full spectrum of labor and employment law services to both private and public employers, ranging from Fortune 500 companies to regional businesses, sole proprietors and public entities. The firm encourages its clients to involve employment law attorneys early in the prevention planning and in the decision-making process of any important employment law decision. Working with clients to prevent claims, has proven infinitely more efficient and cost-effective than litigation. This commitment to prevention strategy involves implementing employment policies tailored to our clients' workplaces, training supervisors and managers at all levels, and providing day-to-day advice on how best to manage risk and minimize liability exposure.

When litigation cannot be avoided, the firm has extensive experience and skilled trial lawyers in defending employment-related lawsuits of all kinds, including wrongful termination, harassment, discrimination, wage and hour, breach of contract, violation of privacy, and defamation claims. The firm handles employment litigation in state and federal courts and in private arbitration or mediation proceedings and before juries.

THE FIRM PROVIDES SEASONED ADVICE AND LITIGATION COUNSEL TO EMPLOYERS ON ALL MATTERS OF LABOR AND EMPLOYMENT LAW, INCLUDING:

- Arbitration agreements

- Class actions involving employment issues, including California's Labor Code Private Attorneys General Act of 2004

- Compliance audits concerning state and federal laws governing employment, including:
 - Age Discrimination in Employment Act (ADEA)
 - Americans with Disabilities Act (ADA)
 - California Family Rights Act (CFRA)
 - California Industrial Wage Commission Orders (IWC)
 - California Labor Code
 - California Occupational Safety and Health Act (Cal/OSHA)
 - Civil Rights Act of 1991 (Title VII)
 - Fair Employment and Housing Act (FEHA)

- Fair Labor Standards Act (FLSA)
- Family Medical Leave Act (FMLA)
- Federal Occupational Safety and Health Act (Fed/OSHA)
- Labor Management Relations Act (LMRA)
- Mining Safety and Health Administration (MSHA)
- Pregnancy Disability Leave Act (PDL)
- Workers Adjustment and Relocation Act (WARN)
- Disciplinary action against private employees and public civil service employees
- Employee handbooks and other personnel policies
- Employment contracts, especially for executives and managers
- Hiring and firing employees and managing high-risk terminations
- Investigation of workplace misconduct, harassment and discrimination claims
- Labor and employment implications of mergers and asset acquisitions
- Management Training (including legally mandated sexual harassment training for supervisors, harassment avoidance, performance evaluation and progressive discipline)
- Medical and personal leaves of absence, workers' compensation, and disabilities in the workplace, including whether and how to reasonably accommodate employees
- Non-solicitation and confidentiality agreements to protect proprietary information, trade secrets, and inventions
- Prevailing wage requirements for publicly-funded construction projects, including advice about labor compliance programs
- Prevention of sex, race, and other unlawful harassment and discrimination claims through training and day-to-day advice
- Prevention of workplace violence
- Privacy issues in the workplace, such as monitoring computer and internet use, drug testing, conducting workplace searches, background checks, and managing office romance

- Proper classification of employees for overtime and tax purposes
- Public and private sector labor relations, including advice during negotiations, interpretation of collective bargaining agreements and memoranda of understanding, PERB and NLRB proceedings, grievance processing, and union organizing campaigns
- Public employee issues for cities, Special Districts, School and Community College Districts
- Reductions in Force, including EEOC oversight and California and federal WARN compliance
- Severance and release agreements
- Wage and hour laws, inclusive of overtime, meals and rest breaks, and independent contractor classifications

THE FIRM REPRESENTS EMPLOYERS IN ADMINISTRATIVE PROCEEDINGS BEFORE LOCAL CIVIL SERVICE BOARDS AND COMMISSIONS AS WELL AS BEFORE:

- California Labor Commissioner
- California Occupational Safety and Health Appeals Board (Cal/OSHA)
- California Unemployment Insurance Appeals Board
- Department of Fair Employment and Housing (DFEH)
- Division of Labor Standards Enforcement (DLSE)
- Employment Development Department (EDD)
- Equal Employment Opportunity Commission (EEOC)
- Federal Occupational Safety and Health Appeals Board (Fed/OSHA)
- Mining Safety and Health Administration (MSHA)
- National Labor Relations Board (NLRB)
- Public Employment Relations Board (PERB)
- U.S. Department of Labor (DOL) including Wage & Hour Division (WHD)
- Workers' Compensation Appeals Board (WCAB)