

Wage and Hour Compliance and Defense

Experienced counsel in a fast-growing area of employment litigation

Capabilities at a glance

- **A well-respected team with a national portfolio** representing a wide variety of employers from across a range of industries.
- **Effective and forward-thinking legal support and training** to keep your business free of one of the fastest-growing areas of employment litigation.
- **A focus on dispute resolution and avoidance.** We have often successfully moved to compel arbitration, defeated class certification motions, preemptively moved to strike class claims and structured favorable settlement agreements for our clients.
- **Seasoned class action and multi-plaintiff defense attorneys** with deep knowledge of employment litigation and complex wage and hour collective and class action matters in particular.

Keeping you prepared and proactive on wage and hour compliance

Federal and state wage and hour claims continue to soar as laid-off, discharged, demoted and dissatisfied workers seek additional compensation through agency complaints and lawsuits. The Fair Labor Standards Act (FLSA) and similar state laws are favorites of plaintiffs and their counsel who seek damages against employers, resulting each year in vast numbers of lawsuits. At Quarles, we believe it is always best to address issues around wage and hour compliance before agency audits and lawsuits arrive on a client's doorstep. Avoiding a potential FLSA collective action or state law wage and hour class action through proactive internal review is a wise investment for employers. Our experienced team helps human resources professionals and management navigate these threats by providing up-to-the-minute compliance advice and actionable training, so you're not forced to react when the Department of Labor (DOL), a state agency or a plaintiff's lawyer forces the issue.

Strong and successful defenses of our clients on wage and hour claims

Integrating experience from various substantive areas and industries, the Quarles Wage and Hour Compliance and Defense team brings a wealth of experience to defending class action lawsuits. We are known for our successful defense of multi-plaintiff wage and hour lawsuits, and we are familiar with the special challenges presented by collective and class action cases. In multi-plaintiff cases, it is critical to have the experience to address class certification, scope of discovery,

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settlement management and other procedural and substantive complexities unique to such litigation. We know first-hand that the risks, costs and opportunities presented by these cases are significant and complex, so we will be in constant dialogue with you from the outset regarding the most cost-effective strategies to resolve the litigation.

Experience

- **Conducting attorney-client privileged internal audits of timekeeping practices**, payroll practices and procedures.
- **Training human resources staff**, managers and supervisors on wage and hour compliance.
- **Advising on compliance with state and local wage and hour laws** and coordination with federal requirements.
- **Defending clients in DOL and state agency audits.**
- **Defending clients in wage and hour litigation** and brokering effective resolutions.

Successes

- Quickly resolved a proposed wage-hour class action matter involving unpaid time for manufacturing employees who don and doff protective clothing, without the client making a significant investment into the litigation of the matter.
- Achieved decertification of a proposed collective action involving health care workers who were allegedly receiving short lunch periods. We established through evidence that there were significant behavioral differences and personal choices among class members that rendered the matter improper for class treatment.

Service Areas

Class Action Defense

Our lawyers regularly handle class actions through all phases—initial analysis, oppositions to certification, discovery, dispositive motions and, when necessary, trial—across a broad spectrum of substantive areas. Whether a complaint alleges matters relating to antitrust, consumer protection, employment, products liability, securities, insurance, labor or any number of other claims, we bring a solid base of past experience and success to each new matter.

Employment Litigation and Dispute Resolution

At Quarles, we focus on delivering effective and assertive employment litigation counsel for our clients, but also on minimizing disputes and claims through intelligent planning and strategic legal support. We always seek to bring each potential issue to a favorable close as quickly and as cost effectively as possible.

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 Douglas Ottenwess
 Evan Peña
 Kaitlin Phillips
 Fred Plevin
 Tory Polin
 Hans Riede
 Tyler Roth
 Aaron Schu
 Sean Scullen
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