

Labor and Employment



Section Chair

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Chambliss labor and employment attorneys provide prompt, pragmatic legal advice and representation to business owners, HR professionals, and executives on complex and emerging labor and employment issues.

Chambliss provides guidance on legal issues impacting all facets of employment and independent contractor relationships. Whether the question concerns hiring practices or employee discipline, a risky termination or a nuanced FMLA leave issue, or one of the emerging movements impacting employers clients can rely on and trust our team. Clients know that we are well versed in the laws that impact their businesses, and turn to us for advice on FMLA and ADA issues, wage-and-hour laws, and other state and federal laws and regulations. We are trusted advisors for addressing and remedying workplace issues, including claims of discrimination, harassment, and retaliation, and we proactively work with clients on compliance matters, such as affirmative action and workplace safety and health. While our goal is to minimize liability and risk for our clients, we mount a swift response when litigation occurs, defending employers in both individual and class action suits as well as EEOC and other administrative charges.

As day-to-day issues arise, we provide timely recommendations based on legal risks and practical business considerations. Over the years, we have developed intimate knowledge of our clients' businesses, which permits us to provide pragmatic advice consistent with our clients' goals and objectives. We serve clients in manufacturing, education, health care, transportation and logistics, media, and other industries. Recognized for their excellent client service and experience, members of our team have been recognized by *Chambers USA*®,

Related Services

- Affirmative Action Compliance
- Asset Protection Planning
- Chambliss Startup Group
- Class Actions
- Financial Services
- General Counsel
- Insurance Coverage and Claims
- Labor and Employment
- Litigation and Risk Management
- Mergers and Acquisitions

Related Industries

- Automotive
- Chemical
- Education
- Food and Beverage
- Information Technology
- Manufacturing
- Media, Publishing, and Entertainment
- Municipal and Government
- Startups and Emerging Companies
- Textile
- Transportation and Logistics

What We See on the Horizon

Contact your Chambliss labor and employment team for our latest insights about the following:

- **The impact of the #MeToo movement on workplace culture.** The #MeToo movement has significantly impacted workplace culture and will continue to do so. Proactive training, policy review, and culture checks are a must.
- **Strategies for bridging the gap(s) with a multi-generational workforce.** While creating a cohesive workplace with baby boomers and Gen Z'ers can be a challenge, harnessing the power and celebrating the differences of each generation can help your company excel.
- **How to handle HR's biggest headache – FMLA compliance.** FMLA laws are known to be very complex, which can make compliance difficult to attain. We work with clients to ensure that they successfully navigating these choppy waters and properly administering FMLA leave.
- **The biggest drivers of employment litigation – and how to avoid claims.** Employment litigation can often be avoided with help from proper and experienced legal counsel. We focus on minimizing risk and working with clients to address issues before they erupt into a full-blown lawsuit.

A Snapshot of Our Depth

- Affirmative action
- Employment policies and handbooks
- Employee leave issues, including under the Family and Medical Leave Act (FMLA)
- Americans with Disabilities Act (ADA)
- Nation Labor Relations Act (NLRA)
- Independent contractors and misclassification claims
- Noncompetition and non-solicitation agreements
- Discrimination, retaliation, and workplace harassment
- Workers' compensation
- Wage-and-hour law
- Workplace violence prevention
- Employment verification (including I-9 and E-Verify)
- Wrongful discharge
- Whistleblower protections

Related People

- Cecilia Young Garrett
- Bradley M. Davis
- Justin L. Furrow
- William H. Pickering
- Kathleen M. Siciliano
- Cathy S. Dorvil
- Kenshandra T. Mitchell
- Susan H. Jones

- Workplace safety and health

Experience

Serve as outside general counsel for major national and international companies, working with management on a variety of employment-related questions and issues on a day-to-day basis

National outside counsel for publicly traded and privately held companies, defending against employment claims in federal and state courts from coast to coast

Successful defense of manufacturer in California wage-and-hour class action alleging misclassification of employees as independent contractors; plaintiff's motion for class certification denied

Obtained numerous "no cause" findings in response to complaints before EEOC, Tennessee Human Rights Commission, and other administrative agencies

Prevailed for client on complex whistleblower retaliatory discharge case, winning pretrial dismissal, which was upheld on appeal

Won pretrial dismissal of case against nationwide manufacturing client involving FMLA retaliation and interference and state law whistleblower claims

Defended Walden Security in unlawful retaliation and race discrimination case; obtained early dismissal of certain claims against the company and of all claims against the president, and later pretrial dismissal of the remaining claims, which was affirmed on appeal

Represented multiple clients in workplace-safety-and-health investigations and citation contests, including involving workplace fatalities

Represented family-owned business in a multi-day jury trial for claims of unlawful termination; complete defense verdict obtained

Assisted major automotive manufacturer in implementing safety standards in compliance with federal and state occupational safety-and-health laws

Represented company in multi-day age discrimination arbitration to a complete defense verdict; case involved complex issues on appeal related to the Federal Arbitration Act, the American Arbitration Association rules, and state law

Defended client in northeastern federal court in wage-and-hour lawsuit that resulted in early resolution, saving the client from defending against a class action law suit

Defended against multi-plaintiff litigation for more than four years, after having obtained early dismissal of 7 out of 9 claims in the case; negotiated a successful resolution of the case

Counseled major firms in OFCCP compliance reviews (including corporate management reviews or "glass ceiling" audits)

Host Annual Employment Law Seminar for more than 100 clients (seminar is complimentary to clients and guests)