

# LABOR & EMPLOYMENT

The attorneys in Hodgson Russ's Labor & Employment Practice have extensive experience counseling public, private, union, and non-union clients in matters involving a wide range of labor and employment laws. We generally represent management exclusively.

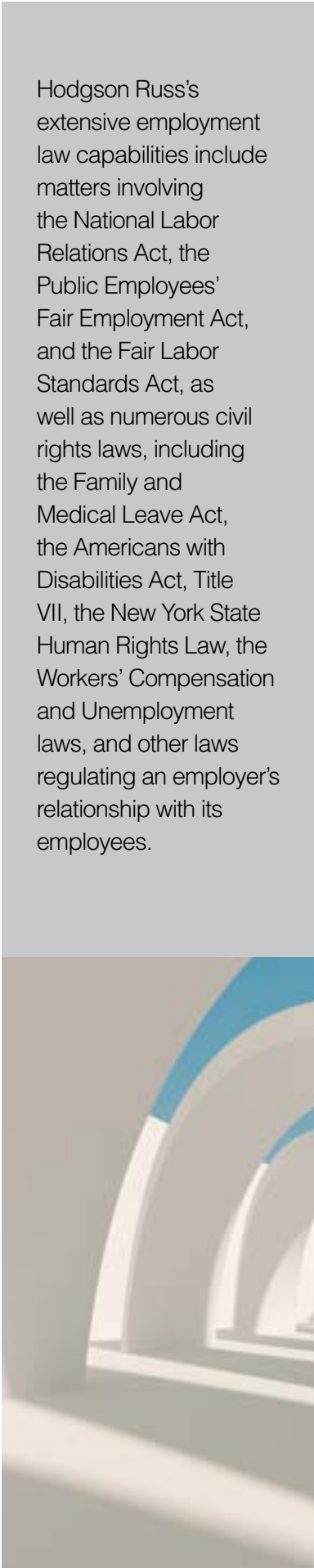
We assist CEOs, CFOs, human resources professionals, employee benefits managers, and corporate counsel from companies headquartered across the United States and around the world with legal issues relating to managing employees and union relations. Hodgson Russ represents employers in a wide range of economic sectors and industries, including financial institutions, manufacturing, hospitality, state and local government, retail, aerodynamics, retailers, school districts, service providers, technology companies, and a wide range of other businesses.

Hodgson Russ labor and employment attorneys focus on preventive steps first. Avoidance of litigation and human resource problems is the most efficient method of minimizing the risk of costly employment disputes. However, should a dispute occur, Hodgson Russ attorneys are well prepared to assist clients in resolving disputes with

current and former employees and the unions that may represent them. Keeping our clients' fiscal, operational, and public relations needs in mind, our attorneys strive first to diffuse problematic situations without formal litigation, often using mediation from the Equal Employment Opportunity Commission Mediation Program, the Federal Mediation and Conciliation Service, and the State Employment Relations Board. In cases where it is impossible to arrive at a resolution short of litigation, Hodgson Russ attorneys aggressively seek favorable results before arbitrators, administrative agencies, and the courts.

Our Labor & Employment Practice provides ongoing education and information to clients concerning changes in laws and regulations, and we regularly present conferences and on-site training sessions for executives, managers, and supervisors, to help in preventing situations that might result in litigation.

Our attorneys focus on preventive steps first to help avert human resources problems that may risk costly employment disputes. Keeping our clients' fiscal, operational, and public relations needs in mind, our attorneys strive first to diffuse problematic situations without formal litigation.



Hodgson Russ's extensive employment law capabilities include matters involving the National Labor Relations Act, the Public Employees' Fair Employment Act, and the Fair Labor Standards Act, as well as numerous civil rights laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, Title VII, the New York State Human Rights Law, the Workers' Compensation and Unemployment laws, and other laws regulating an employer's relationship with its employees.

Our attorneys practice before all government agencies and courts that adjudicate employment and labor matters, including:

- All courts in New York State
- Equal Employment Opportunity Commission
- Federal District Courts, U.S. Circuit Courts of Appeals, and U.S. Supreme Court
- National Labor Relations Board:
- Public Employment Relations Board
- Workers' Compensation Board and Unemployment Insurance Appeal Board
- State fair employment practices agencies
- U.S. Department of Labor

Hodgson Russ has been awarded prestigious "Best Law Firms" Metropolitan Tier 1 rankings by *Best Lawyers/U.S. News & World Report* in the Labor Law – Management and Employment Law – Management categories.

## LABOR & EMPLOYMENT LAW

Hodgson Russ's labor and employment law practice, which has grown in scope for more than 70 years, includes extensive capabilities in matters involving the National Labor Relations Act, the Public Employees' Fair Employment Act, and State and Federal wage and hour laws, as well as numerous civil rights laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, Title VII, the New York State Human Rights Law, and other laws regulating an employer's relationship with its employees.

Hodgson Russ attorneys have extensive experience representing clients in state and federal courts as well as alternative dispute resolution forums, such as mediation and arbitration, and regularly represent clients in contested proceedings, including administrative hearings, trials, motions, and appeals.

Hodgson Russ attorneys provide counsel to employers on issues including:

- Employment discrimination avoidance
- Pre-employment applications, employment contracts, restrictive covenants, confidentiality and non-compete agreements, employment contracts, and employee handbooks
- Affirmative action and OFCCP compliance reviews for federal contractors
- Effective, defensible programs for drug testing, family leave, attendance improvement, supervisor training, occupational safety and health, employee benefits, work force reduction, and sexual and other unlawful harassment avoidance
- Unemployment Insurance compliance
- Federal and state wage and hour laws

Hodgson Russ defends employers in adversarial proceedings by:

- Representing employers before the Equal Employment Opportunity Commission and state fair employment practices agencies
- Investigating charges and complaints
- Providing counsel and representation in court proceedings
- Representing employers in proceedings before the National Labor Relations Board and state labor agencies
- Handling hearings and appeals before other federal and state administrative agencies
- Providing counsel on handling grievances, including drafting grievance answers
- Providing representation during arbitration through witness preparation and evidence gathering, preparation of prehearing statements, presentation of employer's case at hearings, and writing post-hearing briefs

## LABOR LAW

Hodgson Russ labor attorneys assist clients in managing union relationships. We also help clients who want to maintain union-free status by:

- Providing counsel on labor practices to identify weaknesses before problems are encountered
- Counseling and training supervisors and managers
- Providing advice on responses to union-organizing campaigns
- Providing advice on bargaining unit issues and employer campaigns in NLRB representation elections

Hodgson Russ attorneys help clients deal with unions that represent their employees by:

- Recommending strategic plans for negotiations

- Serving as spokespersons at the bargaining table
- Analyzing cost and consequences of proposals
- Working with mediators and other neutrals
- Drafting proposals, counter proposals, and final contract language
- Analyzing collective bargaining agreements
- Counseling on strike or lockout strategies
- Advising on documentation of incidents (affidavits, investigations)
- Instituting legal proceedings when necessary, including actions for temporary restraining orders and preliminary or permanent injunctions
- Defending unfair labor practice and improper practice charges
- Assisting in filing charges where appropriate



Our attorneys assist clients in managing union relationships and advise employers on maintaining union-free status.

## CONTACT

**Peter Godfrey**

716.848.1246

[pgodfrey@hodgsonruss.com](mailto:pgodfrey@hodgsonruss.com)

## PROFESSIONALS

### ATTORNEYS

Luisa Bostick

Joseph Braccio

Madeline Cook

Meghan DiPasquale

Glen Doherty

Andrew Drilling

Jordan Einhorn

Asia Evans

Ryan Everhart

Andrew Freedman

Peter Godfrey

John Godwin

Thomas Grenke

Charles H. Kaplan

Karl Kristoff

Christopher Massaroni

Elizabeth McPhail

Lindsay Menasco

Kinsey O'Brien

Jeffrey Swiatek

Michael Zahler



## OFFICES

**ALBANY** • 677 Broadway, Suite 401 • Albany, NY 12207 • 518.465.2333

**BUFFALO** • The Guaranty Building • 140 Pearl Street, Suite 100 • Buffalo, NY 14202 • 716.856.4000

**HACKENSACK** • 25 Main Street, Suite 605 • Hackensack, NJ 07601 • 212.751.4300

**GREENSBORO** • 7 Corporate Center Court, Suite B • Greensboro, NC 27408 • 336.271.4014

**NEW YORK** • 605 Third Avenue, Suite 2300 • New York, NY 10158 • 212.751.4300

**PALM BEACH** • 440 Royal Palm Way, Suite 202 • Palm Beach, FL 33480 • 561.656.8608

**ROCHESTER** • 90 Linden Oaks, Suite 110 • Rochester, NY 14625 • 585.613.3939

• 1800 Bausch and Lomb Place • Rochester, NY 14604 • 585.454.0700

**SARATOGA SPRINGS** • 60 Railroad Place, Suite 300 • Saratoga Springs, NY 12866 • 518.736.2900

**TORONTO** • 22 Adelaide Street West, Suite 2050 • Toronto, ON M5H 4E3 Canada • 416.595.5100

*Practice restricted to U.S. law*



[www.hodgsonruss.com](http://www.hodgsonruss.com)

©2024 Hodgson Russ LLP