Employment Counseling

Our attorneys serve in the dual role of lawyers and trusted business advisors, to both union and non-union employers in virtually every industry. We design and implement strategies and solutions that are consistent with our clients’ unique business needs and goals.

In addition to solving immediate client questions and concerns, we provide preventative, practical and creative approaches to reduce employment related risks and to improve our clients’ relationships with employees and, where applicable, unions. Our clients count on us to provide thoughtful strategies that are consistent with their philosophical and financial objectives.

Experience

We provide strategic advice on a broad range of employment issues, including, but not limited to:

✓ How to comply with all state, federal and local anti-discrimination laws; investigating and responding to employee complaints and grievances; following effective hiring and termination processes and making decisions designed to ensure that applicants become long-term employees; developing and reviewing compensation policies and pay practices to ensure compliance with equal pay and all anti-discrimination laws; auditing and analyzing employment related records and documentation, including, but not limited to: personnel files, pre-employment and other work-related testing, employment applications and other new hire documents and disciplinary forms; and a variety of other employment-related topics.

✓ Risk mitigation advice related to a broad spectrum of wage and hour considerations, including, but not limited to: advising employers on classifying employees as exempt from overtime; the process of classifying workers as employees or independent contractors; calculating the proper overtime rate of compensation; complying with record keeping and record retention requirements; how to lawfully take deductions from wages, including, but not limited to: wage garnishments; complying with child labor laws; scheduling appropriate meal and rest periods; vacation, sick leave and other leave laws; payroll; advising employers on discrete wage and hour laws unique to their industry, such as tip credit and tip
pooling in the hospitality industry, exemptions from overtime for truck drivers under the Motor Carrier Act, prevailing wage rate requirements for government contracts and compensatory time and calculating overtime pay issues for public employers; and a variety of other wage and hour related topics.

✓ Conducting compliance audits of workplace wage and hour and personnel practices and policies, such as the administration of vacation policies, time keeping, payroll, meal and rest periods and internal complaint reporting processes.

✓ Creating and counseling on the administration of leave of absence programs in compliance with federal, state and local leave laws, including the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Illinois Human Rights Act (IHRA), State and local sick leave laws and other analogous laws and regulations.

✓ Counseling clients to help maintain compliance with OSHA standards, formulate or enhance safety and health programs and manage safety and health audits. We can also assist in developing or updating employers’ safety and health management program with a special emphasis on avoiding citations from OSHA. Additionally, employers rely on us for OSHA-related guidance in situations involving workplace violence, infectious diseases, substance abuse and testing.

✓ Preparing employment agreements, including, but not limited to, executive employment agreements and restrictive covenants designed to safeguard clients’ protectable business interests.

✓ Advising clients involved in merging with or acquiring other entities, including negotiating and preparing employment contracts for incoming executives, advising on restrictive covenant issues, reviewing purchase documents to ensure employment-related provisions adequately protect clients’ investment and business goals, ensuring that due diligence on employment-related issues is thorough, among other related services.

✓ Compliance with Affirmative Action/OFCCP regulatory obligations, including, but not limited to, preparing Affirmative Action plans and representation during audits.
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News, Events, and Publications

Amber Cox And Pete Gillespie To Present On Workplace Violence Prevention Issues
12.01.2017

Debrai G. Haile Serves As Conference Panelist To Discuss Algorithmic Hiring And On-Boarding Issues
05.13.2016

Debrai Haile Serves As Panelist On Pregnancy Accommodation And Maternity/Paternity Leaves Of Absence
05.13.2016

Light Duty Takes Hard Hit
09.21.2015

Special Note for Illinois Employers Regarding Tracking Hours
09.21.2015

Illinois Resurrects Anti-Recording Law
09.21.2015

Supreme Court Ruling Endangers Ignorance Defense
09.21.2015

Accommodate Women For Workplace Pregnancies Like Any Other Condition  
Chicago Law Bulletin, 05.05.2015

Background Checks - What Consumers Should Ask And What Employers Should Know
03.17.2015
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EEOC Revises Framework For How To Treat Pregnant Workers
Chicago Daily Law Bulletin, 01.01.2015