McElroy Deutsch

Labor & Employment



Recognized as one of the nation's preeminent Labor and Employment Law Firms.

McElroy Deutsch's Labor and Employment Group is renowned not only in New Jersey, but also in the other states in which we practice, and has experience in all aspects of labor and employment law. The Firm also has experienced Labor and Employment lawyers in several of its other offices, including New York, Connecticut, and Colorado.

Our law firm has more than twenty years of experience servicing governmental entities in the labor and employment arena. McElroy Deutsch attorneys have handled labor and employment matters on behalf of public entities in state and federal courts as well as before the New Jersey Public Employment Relations Commission New Jersey Merit System Board, New Jersey Division on Civil Rights, Equal Employment Opportunity Commission, National Labor Relations Board, and Division of Wage and Hour.

Our labor and employment attorneys also negotiate Collective Bargaining Agreements and provide advice with respect to issues regarding employment discrimination, sexual harassment, wrongful discharge, breach of contract, wage and hour compliance, family/medical leave, and general disciplinary matters in union and non-union work environments.

The lawyers at McElroy Deutsch represent employers in a wide-ranging labor and employment practice. We defend clients against various statutory claims of alleged discrimination in hiring, promotion, benefits and discharge, and common-law wrongful discharge claims. These cases, which

range from nationwide class actions to single-plaintiff suits, often have included novel constitutional, statutory, and public policy issues. McElroy Deutsch's clients have obtained favorable jury verdicts rejecting discrimination, and other claims brought by terminated employees.

In seeking to prevent employment problems, clients rely on our wide experience in litigation for counsel on day-to-day practices that minimize the risk of discrimination and retaliation claims, and other claims based on employment handbooks, manuals, and other written and oral representations. Clients seek our advice on substance abuse testing, the requirements of the Civil Rights Act of 1991, the Americans with Disabilities Act, the Older Workers Benefit Protection Act, OSHA, and other statutory obligations. Our attorneys advise and represent clients before federal and state courts and administrative agencies.

In the area of labor law, employers turn to our law firm for representation in labor contract disputes, arbitration, picketing, strikes, organizing campaigns, plant closings, and reductions in force. Clients employ us as principal spokespersons in negotiating collective bargaining agreements, or to act as behind-the-scenes legal and tactical advisors. McElroy Deutsch's labor attorneys also represent employers in unfair practice proceedings before the National Labor Relations Board and various state employer-employee relations commissions.

McElroy Deutsch has been in the forefront of employee benefits litigation in state and federal courts and regularly represents clients before the U.S. Department of Labor. Our attorneys who focus on employee-benefit matters represent clients in a broad range of complex cases and class-action suits in federal and state courts. Those matters have included multi-employer plan terminations, retiree benefits terminations, PBGC subrogation claims, and hybrid suits brought by labor unions involving both pension issues and federal labor laws.

Types of law practiced by the Labor and Employment Group include:

- Advice and Counseling of Employers
- Arbitration
- Audits of Employer policies, procedures and other legal compliance matters
- Class Actions (employment and benefits litigation) – defense
- Collective Bargaining (management)
- Diversity Programs and EEO-1 reputing
- Education Law
- Employee Handbooks and Policies Employment
- Discrimination (management)
- Employment Litigation (defense)
- ERISA and other employee benefits planning, drafting, administration, and counseling

- Executive Employment contracts
- Family / Medical leave statutes both federal and various states
- HIPAA Compliance, policies, and advice
- Internal Investigations
- Immigration
- Labor Relations
- National Labor Relations Board (including unfair labor practice cases, representation cases, injunctions and election campaigns)
- Occupational Safety and Health
- Public sector employment defense
- Restrictive Covenant litigation
- Sarbanes-Oxley Training
- Wage and Hour
- Whistleblowing
- Wrongful Discharge

Representative Cases

Results may vary depending on your particular facts and legal circumstances.

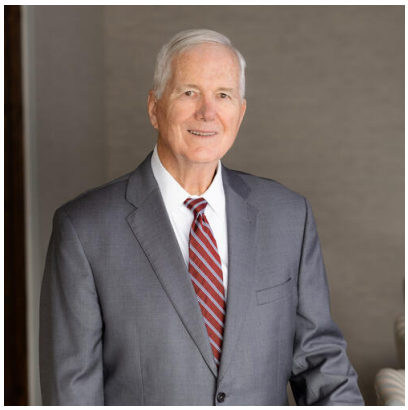
Attorneys with McElroy Deutsch's Labor and Employment Group represent numerous State and Federal Agencies. Representative matters include:

- At the request of the Office of the New Jersey Attorney General, provided representation to various State agencies and officials on matters of public importance. Represented these agencies and officials in defense of employment claims under State and Federal laws. Also been retained to represent the State, through the Governor's Office of Employee Relations, to negotiate collective bargaining agreements with New Jersey's three largest civilian labor unions, covering more than 65,000 public employees. Also negotiated agreements on behalf of Berkeley Heights.
- Counseled and represented the New Jersey Turnpike Authority since 2003 in a number of areas, including dozens of employment matters, real estate, condemnation, workers' compensation, alleged police misconduct, transactional, public bidding and procurement, and environmental law.
- Defended New Jersey Transit against multiple employment claims. We have also provided representation to NJ Transit in FELA, LAD, and Section 1983 cases. Have also represented NJ Transit in its labor negotiations with its bus operators and clerical and maintenance workers. In addition, we are currently representing NJT in negotiations with three separate labor unions the FOP, PBA, and CWA.

- Represented the New Jersey Department of Veteran Affairs, its Human Resources Director and the Director of the National Guard's New Jersey Youth Challenge Academy in *Anderson v. DMAVA, et al*., in the NJ Superior Court, Mercer Vicinage, defense against claims of race discrimination, retaliation and violation of the NJ Conscientious Employee Protection Act.
- Represented the New Jersey Department of Corrections in multiple matters.
- Represented the University Correctional Healthcare in several matters.
- Represented University Hospital and Rutgers in the matter where 5 former patients of the Hospital and of the New Jersey Medical School claimed their rights under the ADA and the Rehabilitation Act were violated by the alleged failure to provide qualified sign language interpreters to the deaf patients and their family members. The matter was settled prior to trial.
- Represented Rutgers University in an action brought by a former coach of the Rutgers-Newark women's basketball team (who was terminated for job abandonment) and six former student-athletes who asserted claims based on hostile work environment, disparate treatment (gender) and retaliation under the NJLAD. hostile work environment, disparate treatment (gender) and retaliation under the NJLAD.

Related Industries

Automotive
Construction
Education
Financial Institutions
Government (Federal, State & Local)
Insurance
Pharmaceutical, Medical Devices & Life Sciences
Retail



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