



## Employer Advising, Policies & Training

One of our labor & employment team's biggest strengths is our experience advising and training employers on a number of issues, always keeping a preventative strategy in mind.

### **Affirmative Action Programs & OFCCP Compliance**

Assist federal contractors and subcontractors in preparing annual affirmative action plans (AAPs) utilizing statistical analyses and data assessments. We counsel federal contractor clients during OFCCP compliance activity, including, but not limited to, desk audits and onsite visits.

### **Disability Management**

Assist employers in developing disability management programs addressing Americans with Disabilities Act (ADA) and Family and Medical Leave Act (FMLA) compliance measures, medical inquiry issues, and workers' compensation concerns.

### **Employment Policies & Procedures**

Assist employers with the development of policies and procedures, including employee handbooks and manuals that comply with state and federal law.

### **EEOC Proceedings**

Assist employers with the development of position statements in response to charges of discrimination filed with the Equal Employment Opportunity Commission (EEOC).

### **Employment Contracts**

#### PROFESSIONALS

Marcel L. Debruge  
Jon M. Gumbel  
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Melissa Azallion Kenny  
Emily H. Mack  
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Matthew T. Scully  
Bill Wasden  
Amy Jordan Wilkes  
Ronald D. "Scott" Williams  
Kathryn M. Willis

#### RELATED AREAS

Employee Benefits & Executive Compensation  
Employment Litigation  
Immigration  
Labor Relations  
OSHA  
Wage & Hour

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Advise, negotiate, and prepare employment contracts on behalf of employers, including initial contracts of employment for executives and top management, as well as separation and severance agreements.

## **Management Training**

Conduct training programs and presentations for management-level employees regarding traditional labor matters, employment discrimination and harassment, disability management, occupational safety and health, and workplace diversity.

## **Mergers & Acquisitions**

Advise on all labor and employment-related aspects of mergers and acquisitions, including the negotiation of employment agreements, changes in policies and procedures, potential successorship liability, and related labor issues.

## **Non-Competition Agreements**

Prepare and counsel employers regarding non-competition agreements, including providing guidance on issues associated with the hiring and firing of employees who have executed non-compete agreements or other restrictive covenants.

## **Occupational Safety & Health**

Advise and assist employers with OSHA compliance, investigations and access disputes as well as throughout the entire litigation process should it arise.

## **Preventative Counseling**

Help employers take the necessary steps to prevent potential liability by providing guidance to employers on day-to-day issues, including employee discipline and termination, leave management, regulatory compliance, and wage and hour matters.

## **Reductions in Force & Restructuring**

Counsel and advise employers on planning and executing compliant reductions in force, job restructuring and other workforce changes, while ensuring compliance with the Worker Adjustment and Retraining Notification Act (WARN), Older Worker Benefit Protection Act (OWBPA), Employee Retirement Income Security Act (ERISA), and other laws and regulations.

## **Selection & Hiring of Employees**

Advise employers regarding the sometimes complex process and issues involved with selection, hiring, and retention of employees.

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## **Site Selection & New Facility Start-up Planning & Execution**

Guide companies through every step of the site selection and start-up process. Answer start-up questions ranging from advice on the available labor market to hiring procedures to available state resources.

## **Unemployment Compensation**

Counsel employers on employee unemployment compensation matters, including representation at unemployment compensation hearings and appeals. Assist employers in navigating state unemployment compensation laws and potential pitfalls that can arise when challenging unemployment compensation agency decisions.

## **Wage & Hour**

Provide preventative counseling concerning wage and hour matters, including advising employers on job descriptions and employee Fair Labor Standards Act (FLSA) exemption classification.

## **Workforce Diversity**

Advise managing workplace diversity issues. Conduct training sessions on workplace diversity, leadership, and equal treatment.

## **Workers' Compensation**

Advise and defend employers in workers compensation disputes, including state law retaliatory discharge actions.

## News

- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List  
Firm News, 11.28.2023
- Burr & Forman Earns National and Metro Rankings in 2024 Best Law Firms List  
Firm News, 11.02.2023
- Mobile Partner Bill Wasden Honored as One of TROY's Alumni of the Year  
Firm News, 10.09.2023
- Two Burr & Forman Attorneys Recognized in Lawdragon 500 Leading Corporate Employment Lawyers Guide  
Firm News, 10.06.2023
- Robin Mark and Jim Hoover Detail DOJ Guidance on Self-Disclosures in *Law360*  
Firm News, 04.18.2023

# Employer Advising, Policies & Training

## Events

- Performance Improvement Documentation – Documentation Do's and Don'ts  
Speaking Engagement, 11.09.2023
- Repurposing Recruiting with a Lens from D&I and Legal  
Speaking Engagement, 07.06.2023
- Flexible Work Arrangement Policies  
Speaking Engagement, 04.29.2023
- The Burr Morning Show Webinar - Will the Federal Trade Commission Succeed in Ending Non-Compete Clauses Between Employees and Employers?  
Webinar, Online, 03.24.2023
- Medical Marijuana Testing and Policies  
Speaking Engagement, 11.18.2022

## Publications

- Carlton Hilson Authors Article for Total Retail Detailing Wage and Hour Risks  
Articles / Publications, *Total Retail* , 12.28.2023
- EEOC Issues Proposed Harassment Guidance Broadening Employers' Obligations Under Federal EEO Law  
Article, 10.05.2023
- Emily Mack and Chandler Aragona Discuss How to Avoid the Pitfalls of AI in the Workplace on *HR.com*  
Articles / Publications, 07.17.2023
- New Laws Protecting Pregnant and Nursing Workers Lead to New Federal Workplace Posters  
Article, 06.09.2023
- Five Things Employers Should Know About the FTC's Noncompete Proposal  
Article, 05.02.2023