



Employment Litigation

Our labor & employment team is capable of handling any employment litigation matter. We defend employers from a variety of industries in matters ranging from individual claims to the most complex class and collective actions involving dozens to thousands of employees.

We handle litigation matters related to:

- Collective bargaining agreement under Sec. 301 & hybrid claims
- Discrimination (age, disability, gender, and race)
- Employment & labor arbitrations
- Employment-related torts
- Employment class actions & collective actions
- ERISA
- Hostile work environment & harassment
- LMRA Sec. 303 claims
- Non-competition agreements & trade secrets
- OSHA citation & warrant-based litigation
- Partnership agreements
- Restraining orders
- Retaliation
- Strike injunctions
- Unfair labor practice & representation litigation
- Wage & hour
- Workers' compensation
- Wildcat strike damage claims

PROFESSIONALS

Jennifer M. "Ginger" Busby

John J. Coleman, III

William "Chip" Collins, Jr.

Meryl Cowan

Marcel L. Debruge

Matthew J. DeVries

Ronald W. Flowers

Cheri Turnage Gatlin

Jon M. Gumbel

H. Carlton Hilson

Melissa Azallion Kenny

William Y. "Corky" Klett, III

John M. Lassiter

G. Wade Leach

Michael L. Lucas

Emily H. Mack

Howard S. Marks

Dent M. Morton

Brian C. Neal

Thomas W. "Tom" Scroggins

Anna L. Scully

Matthew T. Scully

Bill Wasden

Amy Jordan Wilkes

Ronald D. "Scott" Williams

Kathryn M. Willis

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Example of how we defend our clients in some of these areas:

Class, Collective, & Multi-Party Actions

Defend and resolve class, collective, and multi-party claims on behalf of employers.

EEOC Proceedings

Defend employers in litigation brought by the Equal Employment Opportunity Commission (EEOC) alleging discrimination and retaliation.

Non-Competition Agreements

Represent employers in seeking or defending against injunctive relief under such agreements.

OSHA

Represent employers in major OSHA litigation including cases involving willful citations, fatalities, warrant and citation proceedings, and whistleblower cases under OSHA 11(c). We litigate on behalf of employers in numerous industries including manufacturing, transportation, environmental, and construction.

Reductions in Force & Restructuring

Defend employers in employee downsizing litigation.

Wage & Hour

Defend employers in litigation brought under FLSA, claims of unpaid overtime pay, and employee misclassifications. We've successfully decertified numerous FLSA collective actions alleging unpaid overtime pay on behalf of employers in a variety of industries including manufacturing, food and beverage, transportation, and retail.

Workers' Compensation

Defend employers in workers' compensation disputes, including state law retaliatory discharge actions.

RELATED AREAS

Employer Advising, Policies & Training

Labor Relations

OSHA

Wage & Hour

Whistleblowing, Retaliation, & Compliance

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Jury Trial Experience

In addition, our labor & employment team defends employers before juries. Our experience includes the defense of the first ADA case tried to a jury in Alabama and the leading case on reasonable accommodation. Our team has been involved in a variety of race and sex discrimination cases involving everything from simple misconduct to internet porn. Our attorneys also defend domestic automotive manufacturers as well as those from Europe and Asia.

Experience

- Favorable Jury Verdict in FLSA Action
06.21.2023
- Successful Decertification of Nationwide Collective Action
11.01.2021

News

- Burr's Meryl Cowan Selected to 2024 Alabama State Bar's Leadership Forum Class 18
Firm News, 12.12.2023
- 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

Events

- Navigating Terminations: Legal Requirements and Risk Mitigation Strategies
08.09.2023
- 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
- Co-Speaker, TDOT 2017 DBE Small Business Annual Meeting
Speaking Engagement, Franklin, Tennessee, 08.28.2017

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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
- Eleventh Circuit District Court Finds Company Websites are Intangible Barriers Under ADA Title III
Article, 10.24.2022
- Department of Labor's Notice of Proposed Rulemaking – Independent Contractor Classification Under
the Fair Labor Standards Act
Article, 10.19.2022