

# Energy

## INDUSTRY GROUP

- Experience in energy, oil, coal, gas, and utility sectors
- Advice and counsel on labor, employment, licensing, tax, and contract matters
- Representation in workplace and mine safety matters, safety standards, and citation defense



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*Our attorneys have a thorough understanding of the technical aspects of the various sectors of the industry and are also up to speed on the latest innovations in the industry, including how they inform current trends in litigation and dispute resolution.*

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## INDUSTRY GROUP

Ogletree Deakins has a large team of sophisticated energy industry practitioners who have years of experience advising a wide range of utility- and energy-related clients on a variety of matters, including regulatory proceedings, general advice, administrative agency matters, transactions, and disputes.

## BREADTH OF EXPERIENCE

Ogletree Deakins' attorneys have extensive experience in the coal, oil, gas, and utility sectors. Our attorneys, with years of experience defending clients in these sectors, understand the legal challenges faced by energy, oil, gas, and utility service providers. The group includes attorneys who worked directly as in-house counsel for energy-related companies before joining the firm. Our clients, which operate locally, nationally, and internationally, include Fortune 500 companies and span the spectrum in size and industry share.

**Among the energy, oil, gas, and utility companies our attorneys have advised and counseled are:**

- Electric, gas, and water utilities;
- merchant power plants;
- gas pipelines;
- clean-energy technology companies;
- design, engineering, and construction firms;
- nuclear industry companies;
- refineries;
- petroleum distribution companies;
- petrochemical manufacturing companies;
- chemical cleaning companies;
- oil field service providers;
- oil and gas drilling companies;
- oil field engineering/construction companies;
- pipeline manufacturers;
- chemical manufacturers;
- contractors supporting oil field employers;
- coal companies;
- midstream oil field service companies; and
- oil and gas equipment manufacturers and suppliers.

## OUR SERVICES

Ogletree Deakins' Energy Industry Group attorneys are keenly aware of the vast variety of issues that clients in the energy market may face. Our attorneys have handled a wide array of matters for our energy clients:

- **General Advice and Litigation.** We have represented energy, oil, and utility clients in labor and employment matters, including both litigation and advice. Ogletree Deakins' Energy attorneys have drafted position statements, counseled on employment practices and policies, drafted employment agreements, and handled internal employment investigations. We have also advised our clients and handled complex litigation involving discrimination, harassment, and retaliation claims; termination and disciplinary matters; reductions in force; noncompete agreements (both executive and otherwise); severance agreements; Americans with Disabilities Act (ADA) compliance; EEOC position statements; affirmative action and OFCCP matters; diversity training; and co-employment/contractor issues and risks.
- **Whistleblower Claims.** Our attorneys have handled whistleblower claims against licensees and contractors. As third-party investigators, we have conducted investigations of nuclear safety complaints. We have also represented companies and individuals in investigations conducted by the Nuclear Regulatory Commission Office of Investigations.
- **Traditional Labor Relations.** The attorneys of our Traditional Labor Relations Practice Group have worked on union election campaigns, negotiations, and arbitrations for a variety of energy-, oil-, and gas-sector employers. We have advised engineering and construction firms on labor negotiations and strategy. We have also represented global oil and gas drilling and technology companies in collective bargaining negotiations and on arbitrations related to the discharge of union members.

- **Wage & Hour.** Our attorneys have handled wage and hour compliance issues for energy-, oil-, and gas-industry clients. In particular, we have handled claims brought under the Fair Labor Standards Act, including matters involving the Motor Carrier Act exemption. We have represented oil and gas companies in audits conducted by the U.S. Department of Labor filed against energy employers. Our attorneys have handled a series of wage and hour class and collective actions brought against energy employers.
- **Licensing, Tax, Rights, and Contracts.** We have advised large merchant solar installation companies on matters related to licensing, property tax, and contract issues under North Carolina's Renewable Energy and Energy Efficiency Portfolio Standard. Our attorneys have also defended a water authority's exclusive right to provide water in a territory under 7 U.S.C. §1926. Our attorneys have represented an energy and commodities company in a breach of contract case.
- **Workplace Safety.** Our attorneys have handled various workplace safety matters brought under the Occupational Safety and Health Act (OSH Act) affecting employers in the energy, oil, and gas industries. We have direct experience working with OSHA in addition to State Plans and have experience with American Petroleum Institute standards, crane certification standards, safety issues on offshore oil platforms and refinery turnarounds, defending OSHA citations, workplace fatality issues, environmental contamination matters, and OSH Act 11(c) claims. Our attorneys also have experience representing coal companies in coal industry in cases brought under section 105(c) of the Mine Safety and Health Act of 1977. We have specific experience representing major and minor drilling and well-servicing companies in all of their workplace safety matters.
- **Workers' Compensation.** Ogletree Deakins' Energy Industry Group attorneys have handled a range of workers' compensation issues for energy, oil, and gas clients. Among these are class action occupational exposure and disease claims, on-site accident investigations for workplace fatalities, chemical exposure injuries, managing the interface between workers' compensation and disability and leave laws, state-law black lung matters, and state-law tort claims, in addition to workers' compensation retaliation.
- **Employee Benefits.** Ogletree Deakins' Energy Industry Group attorneys have also advised their clients on a range of employment benefits issues including benefits plans, severance agreements, retirement issues under the Employee Retirement Income Security Act (ERISA), retiree healthcare issues, and Multiemployer Pension Plan Amendments Act (MPPAA) issues.

Our attorneys also have experience representing clients in administrative agency litigation, federal agency actions, agency investigations, antitrust matters, commercial litigation, and personal injury defense.

## COMMUNICATION

Communication is a vital part of serving the legal needs of our clients. We regularly update clients on the status of their matters and are available for consultation at every step of the decision making process. This participative practice style promotes information-driven decision making and helps to build strong and lasting relationships based on timeliness, responsiveness, quality, and value.

## VALUE

Our firm has been a leader in offering value-based billing for clients. We work closely with our clients to develop fee arrangements that are tailored to their needs and interests. We are happy to discuss the nature of any and all alternative fee agreements that are of interest to our clients.



*With offices across the United States, in Europe, and in Mexico, the firm represents a diverse range of clients.*

*We operate efficiently without compromising our commitment to service.*

*Ogletree Deakins is one of the nation's largest labor and employment law firms, representing management in all types of employment-related legal matters.*



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