

Retail

INDUSTRY GROUP

- Representation of retailers in all types of labor and employment matters in the United States and beyond
- Over three decades of experience representing retailers of all types and sizes
- Cutting-edge legal advice and strategies on emerging issues
- Cost effective compliance and training tools tailored to the retail industry

Ogletree
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Ogletree Deakins is a retail industry leader with clients ranging from brick-and-mortar retailers to online merchants, and small businesses to Fortune 500 corporations. Our long-standing, close relationships with our clients, and with the major retail trade associations, give us an unparalleled perspective and deep understanding of the issues and challenges encountered by the retail industry. The firm's Retail Industry Group is comprised of a diverse group of attorneys who are experienced in advising and representing retailers in a wide range of labor and employment matters. Our members are located across the country and around the world.

From the sales floor to the distribution center, and from disability access requirements to wage and hour compliance, the Retail Industry Group is experienced in all facets of the retail industry and the legal issues it faces. Whether for single-store operations or global retailers, the Retail Industry Group offers superior expertise and value to our retail clients.

PRACTICE AREAS

- Our **Affirmative Action and OFCCP** Compliance attorneys work with retailers on affirmative action programs, reporting requirements, data management, and compliance with the often-changing requirements of the Office of Federal Contract Compliance Programs (OFCCP).
- Our **Employee Benefits** practitioners advise retail clients on benefits issues, including the full array of retirement plans and health and welfare plans sponsored by employers, as well as the Affordable Care Act, the Employee Retirement Income Security Act, incentive programs, and other bonus arrangements.
- Ogletree Deakins' **Class Action** attorneys have successfully defended retailers in class and collective actions involving allegations of discrimination, harassment, misclassification of managers, unlawful deductions from earnings, meal and rest period violations, and violations of other federal and state wage and hour laws. Our **California Class Action Group** also has particularized experience defending class and collective actions under California's unique laws.
- Our **Data Privacy** attorneys advise retail clients on preventing and effectively responding to data breaches, best practices regarding data storage, Health Insurance Portability and Accountability Act (HIPAA) compliance, benefits-related privacy matters, data privacy requirements during cross-border mergers, and drafting or revising policies to comply with multi-jurisdictional data privacy requirements.
- Our **Disability Access** attorneys have extensive experience helping retailers face the multiple challenges presented by Title III of the Americans with Disabilities Act and other disability access laws. From defending class actions, to ensuring compliance with federal and state building standards and the requirements of website accessibility, to navigating the regulations covering service animals and Segways, our disability access work is comprehensive.
- Our **Employment Law** practice offers day-to-day preventative counseling and policy and procedure review to ensure that our retail clients comply with the myriad federal, state, and local laws applicable to them. We advise retail clients on a wide range of human resources issues, such as employee leaves of absence, disability accommodations, gender transitions, dress codes, employee performance management, and internal investigations. Through Ogletree Deakins' proprietary compliance product, O-D Comply, Ogletree Deakins keeps national retailers informed of the latest developments in the laws related to essential aspects of their operations and employment concerns, such as hiring, background checks, employment applications, e-signatures, garnishments, employee leaves of absence, and wage and hour compliance. Ogletree Deakins also offers retailers a variety of training tools, from webinars to live training programs.

- Through its **Governmental Affairs** practice, Ogletree Deakins offers full-service legislative and regulatory affairs consulting to our retail clients. Our attorneys also provide experienced counsel to guide retailers through complex regulatory issues and advise on matters such as the U.S. Department of Transportation hours of service regulations that impact retailers' distribution operations, and state and federal **Drug Testing** laws and regulations.
- Our **Immigration Practice Group** attorneys work with retailers to facilitate the international transfer of skilled employees. Our full-service immigration practice also helps retail clients plan for the immigration impact of mergers and acquisitions, and provides guidance with regard to I-9 compliance issues.
- Our **International Practice Group** focuses on global codes of business ethics and employee handbooks, international compensation and benefit plans, worker classification, facilitating a mobile workforce, investigations, data privacy, reductions-in-force, restructuring, mergers and acquisitions, works council and trade union negotiations, and global management training.
- Ogletree Deakins' **Traditional Labor Relations Group** offers unparalleled experience handling conventional organizing campaigns (including those seeking to certify micro bargaining units) and corporate campaigns and efforts. Our Traditional Labor attorneys advise and represent retailers of all sizes and types in connection with collective bargaining negotiations, strike preparations, labor arbitrations, and National Labor Relations Board proceedings.
- Our **Unfair Competition and Trade Secrets** attorneys assist retail clients in creating and implementing policies and practical steps to protect their valuable customer relationships, trade secrets, and other confidential information. When litigation is necessary, our attorneys provide fast and effective representation.
- Our **Wage and Hour** attorneys conduct wage and hour audits for retail clients, design and review commission plans, and provide advice on issues such as meal and rest periods, the classification of retail managers, deductions from earnings, child labor restrictions, and overtime earnings. Our **California Wage and Hour** attorneys have detailed knowledge and experience handling all aspects of California's wage and hour laws.
- Ogletree Deakins' **Workplace Safety and Health** attorneys represent retailers in all aspects of workplace safety and health. Our attorneys understand the specific and unique health and safety issues that can arise on the sales floor, in distribution facilities, and beyond. We regularly work with retail clients on investigations of workplace accidents, workplace violence policies, active shooter policies, the handling of Occupational Safety and Health Administration (OSHA) inspections and safety whistleblower complaints, negotiation and resolution and/or litigation and trial of OSHA citations, and safety and health audits.



With offices throughout 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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