

Wage and Hour

PRACTICE GROUP

- Internal audits of employee classifications and payroll practices
- Advice and counsel on federal and state overtime, minimum wage and wage-payment requirements
- Defense of wage-related investigations conducted by federal and state administrative agencies
- Defense of wage-related single-plaintiff, multi-plaintiff and class/collective action lawsuits

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Ogletree Deakins' Wage and Hour Practice Group features attorneys who are experienced in advising and representing employers in a wide-range of wage and hour issues and who are located in Ogletree Deakins offices across the country.

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IN-DEPTH KNOWLEDGE

Ogletree Deakins' Wage and Hour Practice Group features attorneys who are experienced in advising and representing employers in a wide range of wage and hour issues, and who are located in Ogletree Deakins' offices across the country. Our attorneys have in-depth knowledge of federal laws, including the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA), and prevailing wage laws (such as the Davis-Bacon Act), as well as comparable state laws. Our attorneys include former officials of federal and state labor agencies, including the Wage and Hour Division (WHD) of the U.S. Department of Labor, and the California Labor and Workforce Development Agency.

DETAILS MATTER

Minor decisions or practices can make the difference between compliance and non-compliance with various wage and hour laws. Non-compliance can have significant financial consequences, including back pay, fines, and penalties. If uncorrected, non-compliance may result in unwanted, avoidable, and costly lawsuits, especially class and collective action litigation. The attorneys in our Wage and Hour Practice Group have a keen eye for details and understand clients' goals and needs. If litigation ensues, our Wage and Hour Group works with clients to protect their interests and minimize potential exposure.

PROACTIVE COMPLIANCE

Although minimum wage, overtime, and other wage payment requirements are conceptually straightforward, they present a multitude of compliance challenges for employers. The attorneys in our Wage and Hour Practice Group have assisted employers with many proactive initiatives to ensure compliance with the FLSA, FMLA, and state law counterparts. One valuable tool for employers is to conduct payroll, timekeeping, compensation, and other related wage and hour practice audits. Our attorneys have worked with employers to conduct a variety of audits, such as:

- Reviewing exempt and non-exempt employee classifications;
- Determining if an employer is compensating employees correctly;
- Assessing the compensability of employee time for various preliminary and postliminary activities such as donning or doffing; and
- Designing practices to prevent off-the-clock work.

Other proactive, preventive measures include counseling companies about wage and hour laws, and working with employers to devise practical solutions that comply with the law and maximize their operations before enforcement agencies conduct investigations.

KNOWLEDGEABLE ADVISORS

The Wage and Hour Practice Group boasts practitioners who have represented employers in investigations and audits by WHD and state agencies involving a broad range of issues spanning varying degrees of complexity. These enforcement agencies and their investigators wield broad, discretionary power when conducting investigations or audits, and our attorneys are adept at developing strategies to counter investigatory tactics. Our attorneys have assisted employers in preparing for on-site investigations and have represented employers during the course of investigations - from opening conferences to resolution after closing conferences. The Wage and Hour Practice Group has substantial experience in assisting employers in minimizing the impact of these investigatory challenges.

STATE LAW EXPERIENCE

Several states have their own wage and hour laws that augment the FLSA, FMLA, and prevailing wage laws. The Wage and Hour Group has extensive experience handling state wage and hour issues, including meal and rest break requirements, wage payment requirements, permissible wage deductions, use-it-or-lose-it vacation policies, and limitations on the use of pay cards and direct deposit. Our California Wage and Hour Practice Group has detailed knowledge and experience with all aspects of California's wage and hour laws as enforced by the California Labor and Workforce Development Agency, and as interpreted by various California courts and state enforcement boards and agencies.



With offices throughout the nation, the firm represents a diverse range of clients.

We operate efficiently on a national scale 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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