

TUETH KEENEY | DIFFERENT BY DESIGN™

Labor & Employment

Tueth Keeneey attorneys regularly represent employers both large and small throughout our region in labor and employment matters. We work closely with in-house counsel and Human Resource professionals to successfully address a broad range of employment matters, assisting our clients with issues such as discrimination complaints, employment litigation, federal investigations, and various traditional labor matters. On a frequent basis, our employment attorneys:

- Defend employers accused of discrimination and retaliation under state laws such as the Missouri Human Rights Act (MHRA), whistle-blower and wrongful discharge claims, minimum wage and overtime claims, defamation and other tort claims;
- Respond on behalf of employers to federal investigations and federal litigation of claims involving Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA), and U.S. Constitutional claims;
- Defend employers at the administrative “Charge” stage and prepare Position Statements and related documentation;
- Engage in alternative dispute resolution, including representing employers in mediation and arbitration;
- Defend employers in wage-hour investigations, drafting of non-competes, affirmative action review and plan development, Form I-9 audits and related investigations involving the Department of Homeland Security (DHS) and its related entities, such as Immigration Customs Enforcement (ICE); and
- Represent employers in a variety of traditional labor matters, including collective bargaining and defending against unfair labor practice claims.

Furthermore, as part of our preventative law philosophy, Tueth Keeneey attorneys conduct handbook reviews and are active in making policy recommendations. We conduct compliance audits in areas such as wage-hour compliance, employment eligibility, and record-keeping and other employment matters. We also provide clients with a wide range of training, including interactive sessions for Human Resource personnel in the proper handling of investigations of discrimination and retaliation claims and the proper steps in handling workplace misconduct matters. Our attorneys also train employer workforces regarding a variety of crucial workplace issues, including sexual harassment and nondiscrimination. We also hold an annual Labor and

MISSOURI

34 N. Meramec Ave., Suite 600
St. Louis, MO 63105
T: (314) 880.3600
F: (314) 880.3601

ILLINOIS

101 West Vandalia, Suite 210
Edwardsville, IL 62025
T: (618) 692.4120
F: (618) 692.4122



Employment Seminar for our clients at no charge and communicate new developments to in-house counsel and Human Resource personnel.

Expertise

Employment Litigation

Our attorneys have successfully defended countless employment litigation cases where current and former employees have alleged a wide variety of state and federal claims, including:

- State discrimination and retaliation;
- Workers' Compensation;
- Minimum wage laws;
- Whistleblower and wrongful discharge claims;
- Public policy claims;
- Defamation and other tort claims;
- Title VII of the Civil Rights Act of 1964;
- The Age Discrimination in Employment Act (ADEA);
- The Americans with Disabilities Act (ADA);
- The Family Medical Leave Act (FMLA);
- The Equal Pay Act; and
- S. Constitutional claims.

Additionally, our attorneys have successfully enforced non-compete and non-solicitation agreements.

We have an active motion practice and handle appeals at the state and federal levels. Our attorneys are admitted to and regularly practice before both state and federal courts, including the U.S. Supreme Court.

Traditional Labor Law

Tueth Keeney labor attorneys have extensive experience and are skilled practitioners. Our attorneys regularly represent management in traditional labor matters, including representation before the National Labor Relations Board, Missouri State Board of Mediation, and Illinois Labor Relations Boards. Our attorneys also regularly defend employers in grievance arbitration in private forums such as the American Arbitration Association (AAA). Tueth Keeney attorneys are available for consultation with employers and management to successfully address a variety of traditional labor union issues: from proactively maintaining a union-free work

MISSOURI

34 N. Meramec Ave., Suite 600
St. Louis, MO 63105
T: (314) 880.3600
F: (314) 880.3601

ILLINOIS

101 West Vandalia, Suite 210
Edwardsville, IL 62025
T: (618) 692.4120
F: (618) 692.4122



environment, and responding to union representation petitions and elections; to negotiating a Project Labor Agreement, or establishing "reserve gates" to keep a construction project moving forward; to assisting with contract negotiations at the table with the Union representative, or litigating unfair labor practice charges before the National or state Labor Relations Boards.

Human Resources Counseling

Our attorneys provide a wide range of assistance with Human Resource issues. We regularly advise clients with respect to the proper handling of discipline and discharge matters. We assess the various risks and advise in-house counsel and Human Resource personnel in choosing a course of action that best meets our clients' needs. Our attorneys also advise clients in the underlying strategy and analysis related to reorganizations and reductions-in-force, as well as in the implementation of roll-out of related decisions. We regularly audit the process related to the selection of employees for layoff and assist in preparing documentation to communicate employer decisions, including the preparation of Separation Agreements and related documentation. Our employment attorneys also advise clients regarding the proper classification of employees under the Fair Labor Standards Act (FLSA) and in determining whether individuals should be classified as independent contractors or employees. We also draft executive employment agreements and assist clients with compensation planning, employee leasing and independent contractor agreements, non-competition/non solicitation and confidentiality agreements. Our attorneys have in-depth experience in assisting Human Resource personnel in the drafting and implementation of employment handbooks, policy manuals and other workplace materials.

Immigration

Tueth Keeney immigration attorneys assist corporations, universities and individuals in obtaining work-authorized temporary visas and permanent resident status. In addition, our immigration attorneys are available for compliance training and defense of Immigration Reform and Control Act of 1986 (IRCA) actions.

Please refer to the Immigration Law Services practice area description, for a more detailed explanation of the legal services that our immigration attorneys and staff provide.

Agency Compliance and Representation

Tueth Keeney attorneys regularly represent employers before agencies such as the EEOC and state human rights agencies, OFCCP, OSHA, DHS, USCIS and Department of Labor.

MISSOURI

34 N. Meramec Ave., Suite 600
St. Louis, MO 63105
T: (314) 880.3600
F: (314) 880.3601

ILLINOIS

101 West Vandalia, Suite 210
Edwardsville, IL 62025
T: (618) 692.4120
F: (618) 692.4122



Management and Employee Training

The Firm's attorneys are available for on-site training related to anti-harassment, general EEO policy, ADA, FMLA, Workers' Compensation, Drug and Alcohol Testing, and many other employment issues.

MISSOURI

34 N. Meramec Ave., Suite 600
St. Louis, MO 63105
T: (314) 880.3600
F: (314) 880.3601

ILLINOIS

101 West Vandalia, Suite 210
Edwardsville, IL 62025
T: (618) 692.4120
F: (618) 692.4122