

## Employment Law and Executive Compensation

Employment law issues play a major role in our clients' businesses and often require an attorney's immediate response. We understand that clients vary significantly in their business environment, size, needs and goals. We partner with employers by learning their business and by devising ways to proactively avoid employment problems within their particular business environment. A 10-minute phone call with one of our employment lawyers often helps prevent much bigger problems down the road. We balance our extensive knowledge of employment law with our clients' business demands to provide smart, practical solutions to employment problems. Our experience solving a wide range of employment problems translates into increased productivity and efficiency for our clients.

We regularly defend our clients in a wide variety of employment-related cases. We effectively and efficiently litigate employment law claims through careful staffing of cases with knowledgeable, well-trained and experienced lawyers. Our practice takes us to state and federal court, and to the EEOC and other regulatory agencies. Our clients benefit from our experience with client decision-makers and our knowledge of court and regulatory rules and processes.

Our employment lawyers provide employment counseling, advice and training seminars on a wide variety of employment-related issues. Many of these relate to the recruitment and retention of key executive and technical personnel through creating compensation and equity ownership arrangements. In our employment practice we regularly counsel clients on the following matters:

- Hiring practices
- Stock options and other equity compensation
- Post-employment restrictions (covenants not to compete and non-solicitation provisions)
- Litigation in state and federal courts and before regulatory agencies
- Wage and hour compliance
- Employee manuals or handbooks
- Employee evaluations and discipline



## Employment Law and Executive Compensation (cont'd)

- Terminations
- State and federal discrimination laws
- Reductions in force
- Sexual harassment and other illegal harassment
- Separation agreements for employees
- Internal investigations
- Negotiations, mediations, and settlements
- Employment agreements and executive compensation
- Change of control agreements

Our employment lawyers are experienced in advising, defending, and litigating on behalf of clients in the following areas:

- **Federal law**, including the Family and Medical Leave Act; discrimination claims of all kinds, including Title VII of the Civil Rights Act; the Americans with Disabilities Act; the Fair Labor Standards Act (wage and hour laws); the Age Discrimination in Employment Act; and charges of discrimination filed with the Equal Employment Opportunity Commission.
- **State law** claims such as the Arizona Civil Rights Act; the Arizona Employment Protection Act; the Arizona Trade Secrets Act; and claims before the Arizona Civil Rights Division.
- **Common law** causes of action, including breach of contract; breach of fiduciary duty; intentional interference with contractual relations; defamation; wrongful termination; conversion, and fraud.
- **Emergency hearings** in state and federal courts seeking or defending against temporary restraining and preliminary injunction orders revolving around employee departure situations including litigation concerning restrictive covenants (non-compete and non-solicitation provisions), theft of business information, and trade secrets violations.

### Representative Experience:

- Representing many of Arizona's largest employers in connection with private wrongful termination and discrimination lawsuits and EEOC charges;



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- Regularly counseling clients, large and small, regarding a wide variety of equity compensation issues;
- Representing a professional golf organization in a high-profile case against claims brought by a golfer who requested accommodation under the Americans with Disabilities Act;
- Representing a technology start-up company in claims brought by a former senior executive alleging wrongful termination, where stock issues were a central focus of the case;
- Successfully obtaining temporary restraining orders and preliminary injunctions against former employees, thereby preventing the employees from working for our client's competitors and utilizing their trade secrets. We have also successfully defended companies accused of hiring employees subject to restrictive covenants;
- Representing companies and high-level executives in connection with negotiations about executive recruiting, retention and departures; and
- Defending a company's overtime policy in a lawsuit brought by a former employee.

