

SERVICE

# Employment



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The Employment Law Group uses a proactive approach to guide our clients through the complex maze of employment and labor law issues. Our emphasis is on litigation avoidance and creative problem solving in an efficient, common sense manner, which allows our clients to focus on running their businesses. When it becomes necessary to litigate, we bring many years of experience successfully trying cases. Our aggressive approach permits us to negotiate favorable settlements for our clients.

## WHAT WE DO.

Posternak's employment attorneys assist employers in the day-to-day management of their workforce. This includes advising and assisting in the full range of issues such as wage and hour compliance, reductions in force, navigating leave and other employee protection laws, developing and implementing personnel policies, including, but not limited to, social media policies, drug testing policies and protocols, and telecommuting policies, discrimination and harassment matters, drafting employment agreements and severance agreements, breach of contract, disputes concerning non-competition and disclosure of confidential information, and labor relations matters. We also provide harassment and discrimination training to clients and perform comprehensive personnel policy audits.

In addition, we are leaders in executive advocacy assisting executives and professionals in complex employment matters, such as contract negotiation, severance, restrictive covenants, change of control, deferred compensation and equity interests.

The Employment Group's experienced trial lawyers have represented clients in the state and federal courts, as well as administrative proceedings before agencies in many states, including the Massachusetts Commission Against Discrimination (MCAD), the Connecticut Commission on Human Rights and Opportunities (CHRO), the New Hampshire Commission for Human Rights (NHCHR), City of New York Commission on Human Rights (NYC) and the New York State Division of Human Rights (NYSDHR), the Equal Employment Opportunity Commission

(EEOC), the Occupational Safety and Health Administration (OSHA), the U.S. Department of Labor, and the National Labor Relations Board. Our attorneys are experienced in alternative dispute resolution, including mediation and arbitration.

We also represent clients in labor relations issues such as union elections, grievance arbitration, in proceedings before the National Labor Relations Board and in negotiating collective bargaining agreements.

The Employment Group works closely with attorneys in the firm's Business, Immigration, and Health Care Departments to meet our clients' broad range of legal needs, including employee benefits issues, including ERISA, retirement plans, stock option plans, COBRA and the full range of immigration services.

## EXPERIENCE

- EEOC religious discrimination class action lawsuit in federal court.
- Wage and hour claims, including class actions, in federal and state courts in Massachusetts.
- Represented executives in discrimination and retaliation cases before administrative agencies and in state and federal court.
- Family and Medical Leave Act claims in Massachusetts state and federal courts.
- Race, sex, disability, national origin, age discrimination and retaliation claims in Massachusetts federal and state courts, including defense of a federal class action age discrimination case.
- Investigations by local, state and federal agencies concerning diversity and wage and hour compliance.
- Injunctive relief in non-compete and non-solicit cases or where disclosure of confidential information was at risk.
- Represented management in unionization of companies.
- Unfair labor practice charges before the National Labor Relations Board.
- Labor arbitrations.
- Collective bargaining agreements on behalf of unionized employers including handling strikes and other forms of labor strife.
- Closely held business disputes among shareholders and partners, including litigation of breach of fiduciary duty claims.