



Employment and Labor Law

# Solutions for employment issues.

Coughlin Midlidge & Garland represents a wide range of corporate clients in a variety of industries, from small family-run businesses to Fortune 500 companies, in all facets of employment law.

We provide representation of our clients at all levels, including in-house advice and investigations, administrative proceedings before federal and state agencies, and arbitrations and mediations. The firm also regularly appears and represents clients in state and federal trial and appellate courts throughout the country.

Practicing employment law for as long as our attorneys have, we know the importance of understanding our clients' business – from its personnel and physical structure to its business needs and objectives. Our strategy is to represent our clients aggressively and cost-efficiently in a manner that is sensitive to business objectives. We take the time to learn about our clients so that we can assist them with their goals, both immediate and long term, when making and implementing employment decisions, policies and practices. We recognize that employment claims often raise complex problems that implicate both legal and labor relations concerns, and which must be addressed promptly and effectively.

## **Employment Counseling & Litigation Avoidance**

At Coughlin Midlidge & Garland, we place a high premium on providing our clients preventative strategies for workplace issues. Our Employment and Labor Practice group is staffed with attorneys from some of the finest employment and labor boutiques in the country who have the training and experience that comes from handling the most complex employment issues for Fortune 500 companies. Our attorneys are in daily contact with human resource professionals and in-house attorneys to provide counseling and preventive assistance by, among other things, drafting personnel policies and handbooks, and providing employment audits.

We regularly guide employers through individual terminations and discipline actions, reductions in force, leave of absence questions, reasonable accommodation issues, and other employment related matters. We also develop and provide training for all levels of employees on compliance

with anti-harassment and anti-discrimination laws, interviewing and hiring laws, the interplay of family leave, disability and workers' compensation laws, and document management. Our attorneys counsel clients and handle trials that involve compliance with state and federal employment statutes, including Title VII, the Americans with Disabilities Act, the Age Discrimination in Employment Act and the New Jersey Law Against Discrimination, the New Jersey Conscientious Employee Protection Act, and the New York State and New York City Human Rights Laws. Our goal for all clients is to minimize employment disputes and to help clients avoid litigation.

### **Wage & Hour Laws**

Coughlin Midlige & Garland attorneys are experienced in handling all aspects of compliance issues that arise under wage and hour laws including the Fair Labor Standards Act, the New Jersey Wage Payment Law, and the New York State and New York City wage and hour laws and regulations.

### **Labor Law**

Our attorneys also counsel and represent employers on the myriad of issues that arise in the area of traditional labor law, such as union organizing campaigns, union representation elections, collective bargaining, labor arbitrations and mediations, strike and picket line issues, unfair labor practices, as well as proceedings before the National Labor Relations Board and the New Jersey Public Employment Relations Commission. This area of law is not a core competency for the highest-performing businesses, but it must be dealt with accordingly; failure to properly address labor law issues can be extremely costly or legally catastrophic. Coughlin Midlige & Garland's experienced attorneys can help address labor law issues that cost time and resources before they arise or proactively resolve them in the most efficient and effective ways after they do.

### **Unfair Competition & Trade Secret Protection**

The firm has significant experience in handling matters involving allegations of unfair competition, breach of confidentiality and restrictive covenants. We prepare agreements that help to ensure protection of trade secrets and proprietary information keeping in mind the common law and statutory protections and qualifications under the Uniform Trade Secret Act and Defense of Trade Secrets Act.

### **Employment Torts & Related Claims**

Coughlin Midlige & Garland attorneys counsel clients and handle matters involving many common law and statutory claims that are available to prospective, existing and former employees. These claims include tortious interference, wrongful discharge, breach of implied contracts, breach of duty of loyalty, defamation and invasion of privacy.

### **Occupational Safety and Health Act (OSHA)**

The firm has substantial experience representing employers regarding the Occupational Safety and

Health Act, specifically developing safety programs and policies, training employees on hazardous substance protocols, representing employers in OSHA contests following safety citations, appealing citations and penalties administered by OSHA, advising and abating safety violations, and representing clients on the appeal of an OSHA notice on contest. When employers, contractors, subcontractors or property owners violate OSHA guidelines an employer is subject to significant fines as well as the cost of abating a violation. If you or your workplace is working through an OSHA issue, it is important to reach out to a skilled legal team to protect your rights, as well as your personal and professional well-being.

## **Litigation Philosophy**

Through our vast experience litigating single-plaintiff, multi-plaintiff and class action cases in federal and state courts and agencies throughout the country, our employment litigators have seen it all. Our clients reap the benefit of that experience in each matter we handle for them. At the outset of every case, our attorneys assess our clients' goals and objectives not only for the case but for how the case may impact and affect the business at large. We then jointly develop a strategy with the client to accomplish those goals and implement that strategy as quickly and cost effectively as possible.

One of the keys to our successful litigation practice is our commitment to keeping clients involved in every step of the litigation and our ability and willingness to alter our strategy and defense as the landscape of a case changes. Our attorneys are as comfortable aggressively defending a case as they are at taking a low-key approach. We are also well versed in all areas of alternative dispute resolution and recognize the value to many clients in resolving an employment dispute quickly through mediation or arbitration. Regardless of how litigation is defended, we pride ourselves on our professionalism and unwavering ethics in everything we do.