

At Weber Gallagher we offer a broad range of legal services in all aspects of employment law. We are experienced litigators, consultants and negotiators who are ready to respond to employers' needs. We provide guidance and support to management and actively defend both private and public entities in employment matters at all state /federal court levels as well as in administrative proceedings before governmental agencies and labor departments.

## **Advice & Counsel**

Our attorneys help human resources professionals and management officials to reduce risk associated with having employees in this highly regulated environment. We assist employers with creation and revision of employment policies and provide or assist in the training they need to protect the company and create a productive/efficient workplace. We work with employers to navigate the complex world of applying the provisions of state and federal laws in all aspects of employment issues and provide counsel to avoid or respond to governmental audits and investigations. Our services include but are not limited to the following:

- Drafting employee handbooks and policies
- Statutory and regulatory compliance
- Leave requests and accommodations, including the Family and Medical Leave Act, the Americans with Disabilities Act and their interplay with state workers' compensation laws
- Discipline and termination strategies
- Wage and hour issues including overtime questions and worker classification
- Pre-employment and background screening, drug testing
- Social media and privacy issues
- Employment agreements, non-compete and trade secret agreements, severance agreements
- Anti-discrimination training to management and staff
- COVID-19 related compliance and counseling, including but not limited to vaccine mandates and accommodations for medical and religious reasons

## **Litigation & Representation**

The Employment Group regularly provides representation to private and public employers in state and federal courts as well as administrative agencies. We represent healthcare institutions, medical providers, colleges, universities, transportation companies, manufacturing facilities, hotels, restaurants, professional firms, retailers, non-profit organizations as well as public entities and officials with respect to claims arising under the following:

- Title VII of the Civil Rights Act
- Age Discrimination in Employment Act (ADEA)
- Americans with Disabilities Act (ADA)
- Family and Medical Leave Act (FMLA)
- Fair Labor Standards Act (FLSA)
- Equal Pay Act (EPA)
- Pregnancy Discrimination Act (PDA)
- Occupational Safety and Health Act (OSHA)
- Pennsylvania Human Relations Act (PHRA)
- Pennsylvania Whistleblower Law (PWL)
- Pennsylvania Wage Payment and Collection Law (WPCL) and Pennsylvania Minimum Wage Act (PMWA)
- Pennsylvania Unemployment Compensation Law
- New Jersey Law Against Discrimination (NJLAD)

- New Jersey Conscientious Employee Protection Act (CEPA)
- New Jersey wage and hour laws
- Delaware human relations laws and anti-discrimination laws
- Discrimination, harassment, retaliation, wrongful discharge
- Breach of contract, tortious interference, defamation, invasion of privacy, infliction of emotional distress
- Non-competition and non-solicitation enforcement

## Experience

- Served as a party-appointed arbitrator in a major employment practices insurance dispute in an international forum in London, England
- Obtained summary judgment, affirmed by the Pennsylvania Superior Court, of disability discrimination claims under PHRA for a health care facility in state court in a case brought by a former employee.
- Obtained dismissal of a Section 1983 state-created danger claim for a psychiatrist in a federal court case.
- Obtained dismissal of civil rights claims, including false arrest and selective prosecution, and RICO violation claim, for police officer in a federal court case.
- Obtained dismissal of whistleblower and wrongful discharge claims under public policy for health care provider in a federal court case brought by a formal employee.
- Obtained summary judgment, affirmed by the Third Circuit Court of Appeals, of disability discrimination and retaliation claims under ADA, PHRA and FMLA for healthcare provider in a federal court case brought by a former employee.
- Obtained dismissal of intentional infliction of emotional distress claim and §1985 conspiracy claim for a municipality and township officials in a gender discrimination federal court case brought by a female police officer.
- Obtained summary judgment of gender/pregnancy claims under Title VII and PHRA as well as First Amendment political affiliation and association claims for a municipality and several borough officials in a failure to appoint/hire federal court case brought by a female police officer.
- Obtained dismissal of a Pennsylvania Whistleblower claim for a telecommunications company in a federal court case brought by a former employee.
- Obtained dismissal of First Amendment retaliation and §1983 civil conspiracy claims for a municipality and several borough officials in a federal court case brought by a former employee.