

EMPLOYMENT LITIGATION

Hall Render's employment litigation team understands the issues that affect hospitals, health systems and other employers. They are uniquely capable of representing organizations in large class and collective action lawsuits as well as the entire range of single plaintiff claims, including whistleblower, harassment, retaliation, FLSA, FMLA, ADA and non-compete claims. They know how staffing levels can impact the defense of a wage and hour collective action or the duty to accommodate disabled employees. They know how smoke-free campus initiatives create tricky wage and hour issues that need to be carefully navigated. And, they know what informs the business judgment in decisions that affect classes of employees, non-compete agreements and whistleblower claims. This background knowledge gives our employment litigators unique and immediate insight into the strengths and weaknesses of a case.

Our goals are to ensure a successful resolution of the immediate issue and to provide appropriate support and guidance to avoid larger issues in the future. Our attorneys are successful in helping clients manage risk, avoid litigation and reduce litigation costs through education and one-on-one opportunities.

CRITICAL POINTS OF DIFFERENTIATION

While other firms also have some experienced litigators, our critical points of differentiation include the following:

Health Care Is Our Business.

Hall Render is the largest health care-focused law firm in the country, arming us with unique insight into the legal and operational issues facing health care organizations today. Knowing the highly regulated health care business, and having access to the many knowledgeable health care attorney specialists within our law firm on the nuanced issues affecting hospitals and health systems, gives us a significant advantage.

The ever-evolving health care regulatory landscape can produce unique legal issues for employment litigation and administrative agency proceedings. Examples of these issues include highly sensitive issues surrounding the reimbursement "whistleblowers" and potential *qui tam* relators, sexual harassment allegations against a residency program director whose conduct could impact accreditation and an employment class action arising from the discharge of one nurse who raised safety and quality concerns. Because of our experience and the in-depth health care knowledge of our colleagues at Hall Render, we are skilled in assessing the value of the litigation our clients face and can vigorously and more efficiently defend against those claims. Understanding these issues, and being able to coordinate a successful defense to those claims, places our clients in the best possible position. Nobody has to pay us to learn about the industry or research medical staff issues—it's our business.

Proven Abilities.

Combined, our labor and employment attorneys have more than 300 years of experience in litigating employment issues. Yet, no significant jury verdicts have been awarded against any client we have represented in employment litigation. Our proven abilities have given us the opportunity to successfully defend clients in multi-million dollar collective and class action lawsuits, take over the defense or oversee the defense of collective and class action lawsuits filed throughout the country and defend against the growing number of whistleblower/retaliation, ADA and FMLA claims and lawsuits being filed against employers.

Timely and Thorough Communication.

We recognize the importance of timely and informative reporting. We report regularly under insurance and client litigation guidelines and understand that important decisions cannot be made unless we bring you substantive evaluations with sound budgets, regular reports on case status and timely updates on significant case developments. We also place value on keeping appropriate personnel up to date and involved in settlement discussions and seeking settlement authority when needed.

VALUE-ADDED CLIENT SERVICES

As a value-add for our clients, we regularly present seminars and speeches on health law topics, including employment law topics. Our employment attorneys provide on-site trainings and offer legal updates and webinars to clients on topics such as: discipline and discharge;

successful investigations; handling EEOC charges; managing employed physicians and medical staff issues; employment law developments; FLSA collective action litigation; wage and hour compliance issues; ADA and FMLA compliance; and H-1B physicians/employing a foreign physician. We also present third party speakers (such as public officials) as learning enrichment opportunities for our clients.