

## Employment Counseling

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Our attorneys serve in the dual role of lawyers and trusted business advisors, to both union and non-union employers in virtually every industry. We design and implement strategies and solutions that are consistent with our clients' unique business needs and goals.

In addition to solving immediate client questions and concerns, we provide preventative, practical and creative approaches to reduce employment related risks and to improve our clients' relationships with employees and, where applicable, unions. Our clients count on us to provide thoughtful strategies that are consistent with their philosophical and financial objectives.

### Experience

We provide strategic advice on a broad range of employment issues, including, but not limited to:

- ✓ How to comply with all state, federal and local anti-discrimination laws; investigating and responding to employee complaints and grievances; following effective hiring and termination processes and making decisions designed to ensure that applicants become long-term employees; developing and reviewing compensation policies and pay practices to ensure compliance with equal pay and all anti-discrimination laws; auditing and analyzing employment related records and documentation, including, but not limited to: personnel files, pre-employment and other work-related testing, employment applications and other new hire documents and disciplinary forms; and a variety of other employment-related topics.
- ✓ Risk mitigation advice related to a broad spectrum of wage and hour considerations, including, but not limited to: advising employers on classifying employees as exempt from overtime; the process of classifying workers as employees or independent contractors; calculating the proper overtime rate of compensation; complying with record keeping and record retention requirements; how to lawfully take deductions from wages, including, but not limited to: wage garnishments; complying with child labor laws; scheduling appropriate meal and rest periods; vacation, sick leave and other leave laws; payroll; advising employers on discrete wage and hour laws unique to their industry, such as tip credit and tip

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pooling in the hospitality industry, exemptions from overtime for truck drivers under the Motor Carrier Act, prevailing wage rate requirements for government contracts and compensatory time and calculating overtime pay issues for public employers; and a variety of other wage and hour related topics.

- ✓ Conducting compliance audits of workplace wage and hour and personnel practices and policies, such as the administration of vacation policies, time keeping, payroll, meal and rest periods and internal complaint reporting processes.
- ✓ Creating and counseling on the administration of leave of absence programs in compliance with federal, state and local leave laws, including the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Illinois Human Rights Act (IHRA), State and local sick leave laws and other analogous laws and regulations.
- ✓ Counseling clients to help maintain compliance with OSHA standards, formulate or enhance safety and health programs and manage safety and health audits. We can also assist in developing or updating employers' safety and health management program with a special emphasis on avoiding citations from OSHA. Additionally, employers rely on us for OSHA-related guidance in situations involving workplace violence, infectious diseases, substance abuse and testing.
- ✓ Preparing employment agreements, including, but not limited to, executive employment agreements and restrictive covenants designed to safeguard clients' protectable business interests.
- ✓ Advising clients involved in merging with or acquiring other entities, including negotiating and preparing employment contracts for incoming executives, advising on restrictive covenant issues, reviewing purchase documents to ensure employment-related provisions adequately protect clients' investment and business goals, ensuring that due diligence on employment-related issues is thorough, among other related services.
- ✓ Compliance with Affirmative Action/OFCCP regulatory obligations, including, but not limited to, preparing Affirmative Action plans and representation during audits

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## News, Events, and Publications

**Heather Becker Named to Chicago Lawyer's 2023 Top Women in Law List**

11.28.2023

**Scott Gore and Christina Wernick Selected as Notable Leaders in Employment and Labor Law 2023 by Crain's Chicago Business**

11.20.2023

**Heather Becker Discusses Key Developments in Labor and Employment Laws in *Crain's Chicago Business* Labor and Employment Law Roundtable Discussion**

10.20.2022

**Antonio Caldarone to Discuss Employment Drug Screening Considerations at National Aging Services Risk Management Conference on October 13, 2022**

10.12.2022

**Partners Heather Becker, Antonio Caldarone and Jeffrey Fowler to Share Important Updates to Employment Laws at Laner Muchin's Annual Employment Law Conference on May 18, 2022**

04.19.2022

**David Moore to Lead President's Resource Organization Roundtable on Managing Employee Leave Under FMLA & ADA**

04.13.2022

**Laner Muchin Welcomes Associates Andrea Rodriguez and Francesca Simoncelli to the Firm**

04.07.2022

**Joe Gagliardo to Share Insights on Remote Work and Avoiding Liability at Employment Practices Liability Insurance ExecuSummit on April 5, 2022**

04.04.2022

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**Rob Bernstein to Share Insights on Effective Investigations in Employment Practices Liability Matters at the Claims and Litigation Management Alliance 2022 Annual Conference in Palm Springs, CA**  
03.22.2022

**Rob Bernstein to Discuss Key Labor and Employment Law Developments Affecting Hospitality Employers in an IHLA Webinar on February 2, 2022**  
02.01.2022

**Rob Bernstein to Explore Best Practices for Restaurant and Hospitality Employers Implementing the COVID-19 Vaccine Requirement at Upcoming Illinois Restaurant Association Webinar**  
01.25.2022

**Rob Bernstein to Host Attorney Roundtable at the 2021 Coalition of Franchisee Association's Legal Symposium**  
11.05.2021

**Jill O'Brien Shares Insights on COVID-19 Vaccination Policies and Employee Whistleblower Claims on WGN Radio**  
10.11.2021

**Amber Cox Discusses Key Developments in Labor and Employment Laws and Strategies for Employers in 2021 and the Coming Year in a Recent *Crain's Chicago Business* Labor and Employment Law Roundtable Discussion**  
10.11.2021

**Partners Peter Gillespie and Brian Jackson Discuss Vaccination Policies and Requirements, Employment Law Updates and Anticipated Litigation Trends at Laner Muchin's Annual Employment Law Virtual Conference on November 4, 2021.**  
10.08.2021

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**Antonio Caldarone Discussed Workplace Harassment and Discrimination Law Updates and HR Challenges at the IASCA 2021 Annual Meeting**

09.23.2021

**Jeremy Edelson and HUB International Analyze Potential Employment Claims in Light of COVID-19 Developments**

09.23.2021

**Robert Bernstein Shares Insights on Labor and Employment Law Developments and COVID-19 at the NISHRM Annual Employment Law Update**

09.17.2021

**Jill O'Brien to Share Insights Regarding the Impact of COVID-19 on Labor and Employment in Upcoming ISSA Webinar**

09.14.2021

**SSCHRA and Chicago SHRM Welcome David Moore to Discuss COVID-19 Return to Work Guidance, Amendments to Illinois Human Rights Act**

08.23.2021

**Jeremy Edelson Discusses Employer-Mandated COVID-19 Vaccinations at the 7th Annual Career Schools Private Education Network Conference**

08.19.2021

**Andrew Goldberg and Christina Wernick Share Lessons for Employers from Recent 7th Circuit Ruling on Labor Violations in *Law360***

08.18.2021

**Dave Moore Discusses Employer-Mandated COVID-19 Vaccinations in ABC7 News Interview**

08.03.2021

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**Four Laner Muchin Attorneys Honored in The Best Lawyers' Inaugural Employment Law Issue**

06.30.2021

**Laner Muchin Managing Partner Andrew Goldberg to Address Labor and Employment Law Updates and Best Practices for Employers in 2021 at the President's Resource Organization Roundtable Webinar**

06.15.2021

**Jill O'Brien to Discuss Labor and Employment Issues Related to COVID-19 at Upcoming Chicago Bar Association Virtual Seminar**

05.27.2021

**Jill O'Brien Analyzes New Illinois Law on Convictions and Background Checks on the Illinois Public Employer Labor Relations Association Podcast**

05.10.2021

**Laner Muchin Partners Rob Bernstein, Heather Becker and Antonio Caldarone to Address Case Law Updates and COVID-19 Issues at the 2021 IICLE Employment Law Institute Annual Conference**

04.22.2021

**Laner Muchin Partners Heather Becker and Antonio Caldarone to Discuss Mandating Vaccines and Return to Work Issues at ALA Chicago's April Webinar**

04.20.2021

**Laner Muchin Adds to Growing Firm Roster with Addition of Associates Jolianne S. Alexander and Amber N. Lukowicz**

04.16.2021

**Laner Muchin Attorneys William Wake and Darin Williams Elected to Partnership**

04.01.2021

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### **Laner Muchin Partner Heather Becker to Discuss Vaccinations and Return to Work Issues Amidst the COVID-19 Pandemic at IFMA's March 2021 Virtual Program**

03.18.2021

Amber Cox And Pete Gillespie To Present On Workplace Violence Prevention Issues

12.01.2017

Light Duty Takes Hard Hit

09.21.2015

Special Note for Illinois Employers Regarding Tracking Hours

09.21.2015

Illinois Resurrects Anti-Recording Law

09.21.2015

Supreme Court Ruling Endangers Ignorance Defense

09.21.2015

Accommodate Women For Workplace Pregnancies Like Any Other Condition

*Chicago Law Bulletin*, 05.05.2015

Background Checks - What Consumers Should Ask And What Employers Should Know

03.17.2015

EEOC Revises Framework For How To Treat Pregnant Workers

*Chicago Daily Law Bulletin*, 01.01.2015