

Wong Fleming Represents Management in a Comprehensive Nationwide Employment Practice

Wong Fleming represents management in a comprehensive nationwide employment practice, in federal and state courts, and before state human rights agencies, the EEOC, FINRA, and wage and hour and unemployment agencies. We have successfully resolved actions on behalf of Fortune 500 companies, litigating claims based upon race, national origin, disability, age and sex discrimination, military leave, family and medical leave, breach of contract, covenants not to compete, whistleblower statutes, wage and hour statutes, the NLRA and ERISA.

Wong Fleming assists corporations in sexual harassment and diversity training, establishing discrimination policies and employment handbooks and drafting and negotiating non-compete and severance agreements. Our firm has conducted sexual harassment training for trainers of the judiciary. All Wong Fleming attorneys are likewise extremely knowledgeable about labor matters. Our firm's lawyers are skilled and experienced to help our clients resolve labor disputes, maintain non-union status, negotiate collective bargaining agreements, and defend against related litigation.

Key Service Areas

- Compliance Audits
- Employment Counseling
- Employment Litigation
- Executive Compensation
- Internal Investigations
- Restrictive Covenants
- Workplace Safety

Representative Matters

- Routinely handle EEO investigations of charges brought before the EEOC and/or relevant state agencies, which encompasses investigations, drafting of position statements, mediations, fact-finding conferences, and administrative hearings, including in such jurisdictions as Ohio, California, New Jersey, Massachusetts, and New York, which historically have the more aggressive EEOC and/or state agencies. We also routinely help clients be proactive and assist with trainings and/or developing policy changes to minimize future employment challenges.
- Routinely handle responses to demand letters where it is imperative to temper the urge to litigate with the need to negotiate to ensure that each approach best fits the clients' goals.
- Obtained a defense verdict for a financial institution in a suit by a former employee alleging race discrimination.
- Obtained voluntary dismissal of race claim through aggressive discovery and savvy motion practices.

- Represented a national financial institution in a race/national origin discrimination matter, and obtained an early dismissal through aggressive discovery.
- Obtained dismissal of disability discrimination and retaliation action.
- Represented a Fortune 500 insurance company in a race and national origin retaliation and discrimination action. After launching an aggressive defense, the Plaintiff voluntarily dismissed the corporate executives, and, thereafter, dismissed the entire action on the eve of her deposition.
- Obtained dismissal of corporate executives named in race, national origin and retaliation claims. Remainder or claims resolved prior to Depositions with a favorable settlement.
- Represented the world's largest management consulting and outsourcing firm in alleged violations of the NJLAD and ADA matters. Plaintiff claimed that he was terminated because of his disability, and that the company breached his contract by failing to provide him with an equity grant, his PTO time and a severance package. Wong Fleming obtained a dismissal of the severance and PTO claims, and partial summary judgment on good faith and unjust enrichment claims.
- Obtained dismissal of 10 counts of a 14-count Complaint in disability discrimination action. Favorably resolved remainder of action.
- Represented a Fortune 500 insurance company in a high-exposure disability discrimination matter. Secured favorable settlement.
- Defended a corporation and individual in restrictive covenants litigation (customer non-solicitation, employee non-solicitation); obtained highly favorable settlement with payment of *de minimis* amount through aggressive discovery and creative negotiations.
- Represented a national retailer in a class action investigation involving the handling of criminal background checks, and other actions involving criminal background checks, allegations of race discrimination and whistleblower retaliation.
- Conducted sexual harassment training of over 2500 employees for single employer.
- Serve as human resources outpost to proactively avoid disputes, conduct audits, and resolve lawsuits.
- Routinely handle wage and hour audits for corporations of all sizes and involving all relevant issues.
- Secured an early, favorable settlement for an international financial institution in wage and hour litigation.
- Represented hospitality business in collective action concerning overtime, minimum wage, hour calculations, and misclassification claims; successfully obtained reduction of total class size to ten percent of the total employees initially sought through aggressive pleadings and threat of motions based on inability to comply with class action law requirement that class representatives be able to demonstrate damages on a class-wide basis for a wide range of claims.

- Defended a spa services company in wage and hour action concerning managerial and sales employee alleging overtime and sales commissions underpayment; obtained highly favorable settlement shortly before trial by employing aggressive motion tactics based on trial stipulations.
- Defended high-profile educational institution in case involving multiple employment issues, including wage and hour violations for misclassification and unpaid overtime; obtained highly favorable settlement with payment of *de minimis* amount through aggressive discovery.
- Defended technology corporation in wage and hour proposed collective action for misclassification; obtained highly favorable settlement with payment of *de minimis* amount through aggressive discovery tactics.
- Defended hospitality corporation in wage and hour proposed collective action for unpaid overtime; obtained highly favorable settlement with payment of *de minimis* amount through aggressive discovery tactics.
- Represented regional restaurant in wage and hour action for misclassification, unpaid overtime and rest break issues, and secured a favorable settlement.
- Represented funeral services corporation in collective action under federal and state laws for unpaid overtime and improper recordkeeping; obtained a favorable resolution.
- Defended grocery store in wage and hour collective action against labor union backed Plaintiffs alleging minimum wage, overtime, and rest break claims; successfully obtained withdrawal of class action claims through aggressive use of affirmative defenses and counterclaims.
- Defended spa services company in wage and hour collective action and negotiated a favorable settlement.
- Defended comedy club in wage and hour action for misclassification, unpaid overtime and rest break issues; obtained a favorable settlement.

Employment & Labor Law Attorneys:

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