Employee Non-Solicitation Provisions Are Under Attack in California and Elsewhere

Insight

Until recently California courts have generally enforced covenants restricting individuals from soliciting their former employer's employees.

JPMorgan Chase Settles Class-Action Lawsuit After Dad Demands Equal Parental Leave for Men

News

While not admitting liability, the company pledged to train those administering the policy and pay $5 million to male employees who claim they were denied additional paid parental leave as primary caregivers.

Employers May Compel

Arbitration Even Where Employee Failed to Sign Arbitration Agreement

Insight

The plaintiff’s acceptance of its terms could be inferred from her failure to opt-out within 14 days outlined in the policy and by her continued employment, the court ruled.

Morrison & Foerster Trims Some Female Attorneys’ Claims, For Now

News

The women are part of a proposed nationwide class action filed in April 2018.

A GC Says She Was Told to Serve the Cake. She Complained, Then She Was

Fired.

News

The former general counsel of ExlService Holdings says in a lawsuit that she suffered from gender stereotyping in her job, illustrated by an order from the CEO that she serve cake to the company's junior male employees at a company anniversary.

Big Law Pay Equity Gets Closer Scrutiny by Small Labor Agency

News

The Department of Labor recently cautioned law firms that do work with the federal government that it will be closely analyzing how their employment practices affect diversity.

Luxury Goods In-House Lawyer Sues Employer for Alleged Harassment

News

The plaintiff says executives shrugged off her complaints of sexual harassment as "a byproduct of being an attractive woman who works at a company with a French culture."

When Union Contracts And Overtime Law Conflict: Court Provides Balance For Employers

Insight

The case involved an offshore oil worker whose contract called for 12-hour shifts for a week and required him to be on the off platform between shifts.

Female Attorneys Sue Biglaw Firm Over ‘Fraternity’ Atmosphere, Allege Bias Against Women

News

Jones Day is being sued for gender, pregnancy and maternity discrimination to the tune of more than $200 million, reports *Crain’s Cleveland Business*.

Invalidating a Non-Compete Agreement

Insight

There are circumstances that allow a departing employee to challenge the legitimacy of a non-compete agreement, even if this type of contract meets all the legal requirements, writes Romy Jurado of Jurado & Farshchian.

Key Terms for Provider Contracts

Insight

A good contract with an employed or contracted physician or other practitioner may help you avoid regulatory violations and future disputes, advises Kim Stanger of Holland & Hart.

Employers Face Hurdles in Enforcing Non-Competes Against Lower-Wage Workers

Insight

Courts across the country are refusing to enforce non-competes against lower-wage employees and now states are taking action to preclude these agreements, Foley & Lardner reports.

What Not to Do: Construction Contractor Charged With Lying to OSHA

Insight

A case discussed in a Seyfarth Shaw blog provides an important lesson: Don’t lie under oath, especially when there exists discoverable evidence to the contrary.

Are Contractor Agreements Not Worth the Paper They’re Printed On?

Insight

A recent ruling in an Alabama federal court illustrates how having a valid independent contractor agreement is not necessarily an impenetrable magic shield automatically rendering misclassification claims null and void, according to Fisher Phillips’ Gig Employer Blog.

Where Did We Go Wrong? Planning for Issues in Employment Agreements

Insight

When drafting executive agreements, it is easy to focus almost exclusively on benefits and wages, the popular areas, without properly addressing some of the legal concerns that have grown over the last several years, according to Davis, Brown, Koehn, Shors & Roberts.

Court Agrees General Counsel Was Fired for Whistle-Blowing; Upholds $8 Million Verdict

News

The 9th Circuit ruled that the former general cousnel had acted as a whistle-blower and was dismissed in retaliation for reporting conduct that he “reasonably believed” to be illegal.

Turbulence on Breach of Employment Agreement, Trade Secret Misappropriation

Insight

The Fourth Circuit found that the ex-employee had not breached the non-compete clause because his role at his new employer was not sufficiently similar to constitute a breach.

Ex-Winston Lawyer Can’t Be Forced to Arbitrate Job Claims

News

Bloomberg Law is reporting that a former Winston & Strawn LLP intellectual property attorney can litigate—and can’t be forced to arbitrate—her pay, bias, and retaliation claims.

‘Breaking Contracts has Consequences’ – Third Circuit

Backs Employer with Restrictive Covenant Agreements

Insight

Employers should be mindful that entering restrictive covenant agreements containing merger clauses may nullify prior restrictive covenant agreements, advises Genova Burns.

Overbroad Geographic Restriction Dooms Covenant Not to Compete

Insight

The reach of the geographic restriction in the convenant should extend only as far as the employee’s geographic activities extend.