Fired Hershey IP Attorney Sues Alleging Race, Age, Sex Bias

News

The 52-year-old former senior counsel for global intellectual property at Hershey Co., has sued his ex-employer, claiming he was replaced with a younger, black, female lawyer in a case of race, age and sex bias.

Job-Seeking Lawyer Loses Age Discrimination Case Based on Experience Cap

News

The job applicant, with 25 years of legal experience, didn’t get an invitation to interview for the position that was aimed at lawyers with three to seven years experience.

Have You Really Agreed to Arbitrate?

Insight

An appellate court found that the arbitration clause in the

contract did not specify what forum would substitute in place of the jury trial.

Jury Awards $21 Million to Hotel Dishwasher After She Was Forced to Work on Sundays

News

A federal jury in Miami set a $21.5 million verdict for a Haitian immigrant in a religious accommodation case who lost her job at a Conrad Hotel because she would not work on Sundays because of religious beliefs.

Negotiating a Labor Contract: Finding the Style that Suits You

Insight

In labor contract negotiations, should you be low key? Should you yell and pound the table?

HP and Hewlett Packard Enterprise Will Pay a $25 Million Settlement to Salespeople Who Sued Over Messed Up Pay

News

Business Insider reports that about 2,000 of HP's and Hewlett-Packard Enterprise's salespeople will finally be getting their share of a $25 million settlement paid to them by the two companies.

Arbitration Agreements: Tips for Enforceability

Insight

Steven P. Gallagher of Akerman LLP offers some tips on what to do – and not do – when arbitration agreements for new hires.

To Be a Good In-House

Counsel, Be Prepared to Break The Law, Maybe

Insight

As an in-house counsel – the individual tasked with mitigating risk for your employer – sometimes you have to make a decision much hastier than you might normally be comfortable with doing so, writes Stephen R. Williams in a column for Above the Law.

Enforcing a Non-Compete Agreement? One Size Does Not Fit All

Insight

There is no one-size-fits-all non-compete agreement, and the enforceability of a non-compete agreement turns upon the state law under which it is construed, points out a blog post from Knobbe Martens.

Court Rules Law Firm's Arbitration Provision

Unconscionable

Insight

In the case, a litigator who had been employed at Winston & Strawn sued the firm, asserting claims of discrimination, retaliation and wrongful termination.

5th Circuit: Company in Class Action Waived Right to Arbitrate Because of Litigation Conduct

Insight

Standards for determining when a party waives its right to arbitrate through participation in litigation have never been uniform among the circuits or easily applied writes John Lewis in BakerHostetler's Employment Class Action Blog.

China Employment Contract FAQs

Insight

The end of the year brings an onslaught of China Employer Audits, and with those audits comes an onslaught of China employment law questions, writes Grace Yang in the Harris

Bricken China Law Blog.

Non-Compete Cautionary Tale

Insight

A recent post on Robinson+Cole's Manufacturing Law Blog discusses a recent court decision that underscores the need for manufacturers to exercise caution when seeking to impose post-employment restrictions on key employees.

Podcast: Dos and Don'ts for Drafting Severance Agreements

Podcast

In a new podcast, two shareholders in Ogletree, Deakins, Nash, Smoak & Stewart discuss a number of important considerations for employers to keep in mind when drafting a severance agreement.

Federal Courts Uphold

Arbitration Agreements Via Email

News

Federal district courts in New York and New Jersey recently turned aside employee attacks on arbitration agreements challenged on the grounds that the employer's communication of its arbitration policy via email was inadequate, reports the Gibbons Employment Law Alert.

Contract Case: Lack of Consideration – Or Not!

Insight

Writing in ContractsProf Blog, Myanna Dellinger discusses a case that "nicely demonstrates how the consideration doctrine is still relevant and, as always, the importance of getting contracts in writing even though they do not *have* to be."

Google Exec Clouded by Scandal is a Veteran Silicon Valley Counsel

News

David Drummond, the chief legal officer of Google parent

Alphabet Inc. and a one-time Wilson Sonsini Goodrich & Rosati partner, was cited in a *New York Times* report about the allegedly lax approach that Google has taken to relationships between supervisors and their subordinates.

Spotlight on No-Poach Agreements Continues, Expands to New Industries

Insight

Companies that engage in no-poach agreements should be prepared for governmental scrutiny as well as private litigation from former employees, warns Skadden, Arps, Slate, Meagher & Flom.

Biglaw Firm Admits It Botched Handling of Sexual Assault Allegation Against a Partner

News

Above the Law reports that Baker McKenzie released a joint report last week that admits the way the firm handled the alleged sexual assault by a partner at the firm involved "a number of shortcomings … which we very much regret."

Recent Oil and Gas Verdict Highlights Importance of FLSA Compliance

Insight

A recent case from the United States District Court for the Western District of Pennsylvania highlights how expensive a Fair Labor Standards Act case can be.