

Employment

As the workplace continues to evolve and change, so do we, helping clients navigate changing legal requirements and emerging trends, from pay transparency requirements to artificial intelligence (AI) in hiring practices. Recognized by outlets such as the *Los Angeles Business Journal* and *Best Lawyers*, our employment lawyers serve as a go-to source for the full spectrum of litigation, advisory and transactional matters. We understand that employment issues often strike at the core — and as such, nimbly devise customized solutions to meet all manner of business objectives.

What Sets Us Apart

Drawing from our depth of both legal and practical experience, we offer custom solutions tailored to each individual workplace. We counsel businesses on how to avoid employment-related issues before they arise. At the first sign of a problem, our clients receive practical, step-by-step advice on how to manage the situation. If a dispute does arise, our lawyers are there at every stage — from investigation to litigation, if necessary. Representing individuals to Fortune 500 companies, we leverage this unique ability to utilize a multidisciplinary, sophisticated approach when confronting complex issues, fully assessing each situation from all angles to keep each client's individual business considerations at the forefront of our analysis.

Our Services

Our lawyers provide employment advice and counseling on a wide variety of topics impacting the employment relationship, provide transactional support for employers and individuals from the outset of employment to termination and business formation to purchase or sale, and represent employers in matters involving employees or former employees.

Employment Counseling and Risk Management

Our lawyers advise on the full range of employment matters, including hiring, promotion and firing; compensation and benefits; discrimination and harassment complaints; wage and hour issues; disability and protected leaves; privacy; workplace violence, noncompetition, nonsolicitation and confidentiality considerations; retaliation and whistleblower issues; executive transition issues; and reductions-in-force.

We frequently assist clients with:

- Occupational Safety and Health Administration (OSHA) compliance.
- Worker Adjustment and Retraining Notification (WARN) Act compliance for mass layoffs.
- Employee Retirement Income Security Act (ERISA) and employee benefits compliance.
- Managing employee benefit plans and practices.
- Integration of benefit plans following a merger or acquisition.
- Navigating protected leaves and Americans with Disabilities Act (ADA)/state law compliance.

- Cybersecurity and data breaches.
- Wage and hour compliance.
- Background check compliance.
- Counseling on restrictive covenants in hiring and terminations.

Employment Agreements, Handbooks and Workplace Policies

Well-versed in the applicable local, state and federal rules and regulations, we draft and review employee policy manuals, handbooks, employment applications, contracts and other materials and advise clients on sound employment practices, working conditions and procedures. We also provide legal advice regarding transition agreements, including documentation of succession planning and financial aspects of business transition as well as compliance with regulatory requirements related thereto.

Areas where we offer support include:

- Employment agreements.
- Manuals and handbooks.
- Human resources policies, such as:
 - Remote/hybrid policies.
 - Social media policies.
 - Drug and alcohol policies.
 - Workplace violence prevention policies.
 - Wage and hour policies.
 - Harassment prevention.
- Noncompetition, nonsolicitation and confidentiality agreements.
- Independent contractors.

We also actively advise clients on modern strategies for a changing workplace. We anticipate trends in the workplace and recommend and draft policies and procedures to address novel issues, including remote/hybrid work arrangements, contingent workforces, the increased use of AI in employment practices, social media and other electronic communications, and the increased use of alternative dispute resolution agreements.

Litigation and Dispute Resolution

With experience litigating in all forums — including state and federal courts, the Financial Industry Regulatory Authority (FINRA), private arbitration forums such as the American Arbitration Association (AAA) or JAMS, administrative agencies, and governmental agencies including the U.S. Department of Labor (DOL) and Equal Employment Opportunity Commission (EEOC) — our employment lawyers regularly defend employers against claims related to discrimination, harassment, retaliation, wrongful termination, restrictive covenants, trade secrets, unfair competition, breach of contract, defamation, compensation, and wage and hour issues, as well as complex employment disputes such as class and collective actions and representative actions, such as those involving California Private Attorneys General Act (PAGA) claims.

We also routinely represent financial services firms in claims unique to FINRA, such as expungement matters, including claims of defamation related to Form U4 and U5 reporting and collection claims. We have also represented firms where the employee's claims have been split between those arbitrable before FINRA and statutory claims litigated in court, simultaneously defending against both.

Mergers, Acquisitions and Workforce Transitions

Collaborating with our mergers and acquisitions lawyers, we provide employment advice related to transactions and related issues, such as stock plans, phantom equity and other management incentives; employment agreements; separation

agreements; and integration of benefit plans post-transaction, as well as due diligence.

Workplace Training

Our lawyers regularly conduct on-site training and presentations and work with clients to develop “best practices,” all designed and customized to address the unique needs and concerns of each workplace. Trainings include, but are not limited to, sexual harassment, workplace violence, protected leaves/ADA and performance management.

Employment Investigations

We conduct investigations of concerns or complaints regarding discrimination, harassment, retaliation, bullying, and wage and hour compliance, as well as other potential employment issues. We also assist employers with governmental investigations.

Representative Matters

- Obtained full defense award on behalf of a broker-dealer in a 31-day arbitration involving claims of discrimination, harassment, retaliation, invasion of privacy, and defamation, among others, brought by an employee and former employee.
- Obtained full defense award in a 14-day FINRA arbitration in favor of a broker-dealer where a registered representative asserted claims of defamation and wrongful termination.
- Succeeded in striking class claims alleging age and gender discrimination brought by a former financial services employee against a broker-dealer in federal court.
- Successfully defended a Fortune 500 financial services company in a competitive claim against a registered investment adviser arising out of claims relating to violation of a noncompetition agreement and the Uniform Trade Secrets Act.
- Secured jury verdicts on behalf of a regional transportation authority against employment discrimination and civil rights claims brought by former employees.
- Defended and successfully resolved collective action against a hospital involving classwide overtime compensation claims under the FLSA.
- Obtained a complete defense verdict and recovered all legal fees on claims lodged by a public company against its former president for fraud and breach of an acquisition agreement.
- Enjoined a company marketing director in the materials industry from continuing to work for a direct competitor and secured the return of highly sensitive and proprietary business information.
- Represented a national manufacturing company in a federal and state investigation of wage and overtime practices.
- Prevailed at a jury trial in defending against discrimination and retaliation claims asserted against an educational institution by its former director.

Experience

Stradley Ronon Represents Allied Resources Group in Acquisition of Verigent

Stradley Ronon represented Allied Resources Group (ARG) in its acquisition of Verigent, a North Carolina-based staffing firm specializing in telecom and IT network infrastructure. The transaction closed July 31; the value was undisclosed.

ARG is a multidisciplinary provider of engineering, staffing, inspection and field services focused on delivering reliable solutions to critical infrastructure clients nationwide. The acquisition will expand ARG’s workforce solutions platform and strengthen its presence in fast-growing technical markets across the United States, including the data center infrastructure sector.

[Read more about the acquisition.](#)

Stradley Ronon Advises Wedderspoon in Acquisition by Masthead

Stradley Ronon represented Wedderspoon Organic Group, the largest seller of New Zealand-sourced and manufactured manuka honey products in North America, in its acquisition by New Zealand-based investment firm Masthead Ltd. Masthead plans to consolidate its consumer brand portfolio into a new holding company, Florenz.

Read more about the transaction.

Stradley Ronon Client Major Part of I-95 Bridge Rebuild

Congratulations to our client Aero Aggregates, for going above and beyond to help rapidly repair the Interstate 95 bridge over Cottman Avenue in Philadelphia – after an oil-tanker fire caused four lanes to collapse. While repairs were expected to take months, crews worked around the clock to reopen I-95 in just two weeks. Aero Aggregates turns recycled glass into a lightweight, gravel-like material that is used as a fill for special construction projects. The construction team used 8,000 cubic yards of the material to build a temporary roadway while a replacement bridge is currently being constructed. Congratulations to everyone at Aero Aggregates for helping complete this massive and urgent task so quickly!

Stradley Ronon Secures Victory in Third Circuit for Temple University

The Third Circuit sided with Stradley Ronon's client, Temple University, wherein the plaintiff alleged race discrimination under Title VII of the Civil Rights Act and violations of the Family and Medical Leave Act. A three-judge panel affirmed the District Court's judgment and held that the lower court did not err by allowing Temple University to use evidence discovered after the plaintiff's termination. The Third Circuit found that such evidence was relevant to rebutting the plaintiff's testimony at trial and held that the District Court's jury instructions were sufficient.

Summary Judgment for SEPTA Discrimination Claims in the EDPA

Stradley Ronon secured summary judgment for SEPTA in the Eastern District of Pennsylvania for discrimination claims based on age, sex and race. The plaintiffs argued that they were paid less than their colleagues, unfairly denied promotions and retaliated against for filing complaints. The judge agreed with Stradley Ronon's assertions that the plaintiffs failed to adduce any evidence they were compensated unfairly, identify a single comparator or provide proof of their qualifications for promotion. Additionally, the Court found there was insufficient evidence of retaliation for the case to proceed to trial.

Discrimination Claim Win for Temple University

Stradley Ronon secured summary judgment for Temple University in the Eastern District of Pennsylvania for an age and disability discrimination matter. The plaintiff was terminated when he refused to return to work. He claimed he was denied reasonable accommodations for his position and argued that a younger person replaced him. The Court agreed with the arguments provided by Stradley Ronon's litigation team and dismissed all claims against Temple University.

Temple University Wins in Eastern District

Stradley Ronon represented Temple University in a significant victory in the U.S. District Court for the Eastern District of Pennsylvania. The Court granted summary judgment to Temple on all of plaintiff's discrimination claims, entering judgment in Temple's favor and ending the case without the need for a trial. Importantly, plaintiff's argument that Temple should be precluded from offering declarations from any Temple employees as evidence in support of its motion for summary judgment, describing those witnesses as "interested" in an attempt to suggest bias, was squarely rejected by the Court which noted that plaintiff's argument ran counter to current Third Circuit precedent.

Community College of Philadelphia Wins in the Third Circuit

Stradley Ronon attorney Danielle Banks secured a significant victory in the U.S. Court of Appeals for the Third Circuit for the Community College of Philadelphia. The plaintiff, an adjunct professor who works at CCP, claimed that he was not promoted to a full-time position as a result of discrimination on the basis of race, gender, and his combined race and gender by the two final decision makers hiring for the position.

Banks filed a motion for summary judgment, arguing that the plaintiff's claim failed because he could not establish that he was qualified for the position. Although the plaintiff had advanced through three rounds of interviews, the final decision makers ultimately discovered that he lacked the necessary credits to qualify for the position.

Judge Quinones Alejandro agreed with Stradley Ronon's argument and determined that the plaintiff failed to state a discrimination claim. Stradley Ronon vigorously opposed the plaintiff's motion for reconsideration, which was denied. In the

plaintiff's subsequent appeal to the U.S. Court of Appeals for the Third Circuit, Banks again argued that the district court had correctly ruled in CCP's favor, based on the relevant record evidence. The court agreed with all of the points made in the district court's opinion and affirmed summary judgment for CCP.

AmerisourceBergen Sells Subsidiary to Canadian Company

Stradley Ronon represented AmerisourceBergen, a Fortune 12 publicly traded pharmaceutical company, in the sale of its wholly owned subsidiary, World Courier Ground Inc., to a subsidiary of TFI International, a publicly traded Canadian company. World Courier Ground Inc. was the U.S. ground transportation division of AmerisourceBergen.

AmerisourceBergen is one of the largest global pharmaceutical sourcing and distribution services companies, helping both healthcare providers and pharmaceutical and biotech manufacturers improve patient access to products and enhance patient care. With over \$140 billion in annual revenue, AmerisourceBergen is headquartered in Valley Forge, PA, and employs approximately 19,000 people.

SEPTA Wins Dismissal on All Counts in Employment Discrimination Case

Stradley Ronon's trial team secured a full defense jury verdict in an employment discrimination case brought against the Southeastern Pennsylvania Transportation Authority (SEPTA).

Plaintiff filed an administrative complaint in 2012 with the Pennsylvania Human Rights Commission against SEPTA, alleging that she was denied a promotion because of race discrimination, gender discrimination and retaliation for filing a lawsuit against SEPTA. The plaintiff later amended her complaint to include allegations of quid pro quo sexual harassment. Once her claims were filed, the plaintiff began applying for a series of other promotions. By the time the plaintiff filed her civil lawsuit against SEPTA in 2014, she claimed she had been denied a total of seven promotions because of quid pro quo sexual harassment, gender discrimination and retaliation.

Stradley Ronon represented SEPTA at trial and, after four days of testimony, the jury returned a verdict in SEPTA's favor on all counts.

SEPTA on Track in Eastern District of Pennsylvania Case

Stradley Ronon secured a defense verdict on behalf of SEPTA and its medical director in a retaliation suit filed by the transit agency's former laboratory manager in the U.S. District Court for the Eastern District of Pennsylvania. The plaintiff contended that several disciplinary actions taken against her while she was employed in the medical department, including a 30-day suspension without pay and a transfer to a different department, constituted retaliation for the sexual discrimination claim she filed with the Pennsylvania Human Relations Commission. The plaintiff also claimed that her paid suspension fell under the forms of adverse action mentioned by Title VII's substantive provision.

After significantly narrowing the case through motion in limine practice, the Stradley Ronon trial team secured a complete defense jury verdict. The Third Circuit ruled that a suspension with pay does not qualify as an "adverse employment action" under Title VII of the Civil Rights Act of 1964, affirming the trial court's decision to throw out a retaliation suit against SEPTA.