INSIDE THE MINDS

Protecting Corporations Against Management Liability Claims
Leading Lawyers on Analyzing Developments in Employment Regulations, Investigating and Responding to Allegations, and Creating Effective Compliance Strategies

ASPATORE
Staying on Top of New Management Liability Regulations and Their Impact on Employers

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Introduction

To minimize management liability, companies must take two important steps: (1) understanding the sources of liability, and (2) developing best practices to avoid this liability. Understanding the liability requires a knowledge of the current legal framework under which companies operate and staying abreast of legislative, regulatory and administrative changes to that framework. Developing best practices requires the establishment of appropriate policies and substantive training of personnel to ensure consistency and compliance with respect to those policies.

This chapter will discuss the current and changing legal framework facing companies operating in the United States, as well as types and methods of developing workplace policies, practices, and training to contain management liability in the most effective manner possible.

Understanding Management Liability

With respect to employment practices, companies need to be aware of the common law and statutory sources of liability for employment-related decisions (on federal, state, and local levels as well as from a legislative and regulatory basis) and the policies and goals of the administrative agencies tasked with enforcement of the relevant laws. Beyond company liability, a number of these laws also expose the actual decision makers to individual liability. Indeed, on a federal level, the Fair Labor Standards Act of 1938 (FLSA)\(^1\), the Equal Pay Act of 1963 (EPA)\(^2\), the Family and Medical Leave Act of 1993 (FMLA)\(^3\), the Occupational Safety and Health Act of 1970 (OSHA)\(^4\), and the Employee Retirement Income Security Act of 1974 (ERISA)\(^5\) all have been interpreted to hold individuals liable for employment-related decisions involving, for example, the denial of overtime, equal pay,

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leaves of absence, workplace safety, and notification of the extension of benefits. State law regarding individual liability, on the other hand, varies by state. Accordingly, directors and officers of companies engaged in making employment-related decisions or other decisions that may trigger potential employment practices liability need to be aware that they may face individual liability. Individual liability can potentially create conflict between these individuals and their employers, especially where a company tries to escape or minimize liability by claiming that the individual decision makers were acting beyond the scope of their authority. Finally, many high-level employees have fiduciary duties to their companies, and, depending on the applicable laws and regulatory schemes, may have fiduciary duties to other officers and directors of the company. It is important to be mindful of these duties when evaluating the potential liability for employment decisions on the front end and how to properly handle disputes when they arise.

These issues and potential liabilities are not limited to particular industries, types of entities, or jurisdictions. As such, it is important for all companies to be informed as to the potential liabilities they may be facing and to stay abreast of the changing legislative and regulatory schemes. Companies need to ensure that human resources or other departments are charged with fully understanding these issues, that appropriate policies and training programs are in place, that the polices and training programs are continuously monitored and updated to comply with the changing laws and regulations, and that employees are uniformly adhering to and applying their internal policies and procedures. Many companies will obtain employment practice liability insurance and directors and officers (D&O) liability insurance to minimize their exposure. It is important for the company, as well as the relevant individuals, to know whether such policies exist, as well as the limitations of these policies. Generally, these policies have large deductibles and very specific reporting and disclosure requirements (which can negate coverage if not fully complied with), and often do not cover certain types of employment matters (for example, large collective or class actions or claims based on intentional acts).
Specific Laws and Regulations Governing Management Practices

The Expanding Definition of Disability

The Americans with Disabilities Act of 1990 (ADA)\(^6\), in short, protects individuals with disabilities from discrimination. On September 25, 2008, President Bush signed the ADA Amendments of 2008 (ADAAA)\(^7\) into law, which made a number of significant changes to the definition of disability and directed the Equal Employment Opportunity Commission (EEOC),\(^8\) a federal agency tasked with the authority and responsibility to address, among other issues, discrimination in the workplace, to amend its ADA regulations to reflect these changes. The ADAAA provides that the definition of a disability should be construed broadly and makes it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the statute.

On March 25, 2011, the EEOC issued final regulations under the ADAAA, which became effective on May 24, 2011.\(^9\) The regulations issued by the EEOC addressed some of the perceived issues of interpretation with respect to the changes to the statute. Specifically, the EEOC defined “major life activities” to include interacting with others and the operation of any major bodily function, including the functioning of the immune, musculoskeletal, neurological, brain, genitourinary, circulatory, and reproductive systems, and all major organs. The EEOC also created rules of construction to be applied in evaluating whether an individual’s condition substantially limits their ability to engage in a major life activity. These rules make it very hard for employers to prevail on a claim that an individual is not substantially limited if the individual has a condition that impairs his or her ability to conduct almost any daily activity. The EEOC also confirmed that, under the ADAAA, persons who are regarded as disabled do not have to demonstrate that they have a substantial limitation of a major life activity. Accordingly, it is much more difficult in situations where an employee or former employee claims they were regarded as


\(^8\) See generally, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC), http://www.eeoc.gov/.

\(^9\) 29 C.F.R. §§ 1630.1-1630.16.
having a disability to address those claims on a motion for summary judgment or otherwise as a matter of law, because there will likely need to be a fact-intensive determination of what the decision makers believed or understood at the time of the relevant employment decision.

The net effect of the ADAAA and the new regulatory scheme adopted by the EEOC is that the ADA is now fraught with substantially more perils for employers. Specifically, there is much more room for employers to run afoul of the statute and for litigation under the ADAAA, and a much bigger hurdle for employers to prevail as a matter of law on claims. In light of this, it is even more imperative that companies make sure they have appropriate policies to deal with individuals with disabilities, that their human resource personnel and supervisors are sufficiently trained on the company’s policies and the law, and that they handle situations with individuals with disabilities or potential disabilities in a manner to minimize liability. Additionally, because of the state of the laws and regulations, it is not realistic to rely on or to believe that adequate training and policies will eliminate the risks of litigation, and companies need to be prepared to deal with employee complaints, charges of discrimination, and actions or investigations by the EEOC or corresponding state or federal agencies with respect to these matters.

**FLSA Update**

In 2011, the United States Department of Labor’s (DOL) Wage and Hour Division promulgated final regulations interpreting the FLSA with regard to employee tip pools and a variety of more technical changes to update regulations to comply with current statutory language. Additionally, there was a significant change, of course, by the DOL in failing to enact previously proposed regulations concerning the fluctuating workweek.

With respect to the tip credit regulations, the law now dictates that employers cannot make use of employee tips for any purpose other than a legitimate tip pool for employees who customarily and regularly receive tips. This creates some uncertainty for employers in the Ninth Circuit, which has rejected the DOL’s position on this issue. Moreover, employers need to be

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10 29 C.F.R. parts 516, 531.
aware of state wage and hour laws that may also bear on this issue. The regulations further provide that there are no limitations on employees’ contributions to tip pools, which deviates from the DOL’s prior position that contributions were limited to amounts that were customary and reasonable. Finally, notices to employees regarding tip credits, under the new regulations, must detail specific information regarding wages, tips, and tip contribution amounts, in writing, to employees.

Of particular significance was the DOL’s failure to adopt changes to the fluctuating workweek regulations that had previously been proposed, which would have sanctioned pay of bonuses or other incentive or premium payments paid under the fluctuating workweek method. Ultimately, this represents an acknowledgment by the DOL that the fluctuating workweek regulation is going to continue to be narrowly construed and potentially only be available to employers in unique situations.

Another FLSA change of note, an amendment that went into effect in 2010 via the Patient Protection and Affordable Care Act (PPACA), is that employers must now provide break time for nursing mothers. Prior to this amendment, the FLSA had never required employers to provide breaks (or meal periods) to workers, which had been exclusively within the province of corresponding state and local laws and regulations. Employers should make themselves aware of the specifics of the break periods required by the new federal change as well as applicable state laws. However, generally, employers are now required to provide “reasonable break time for an employee to express breast milk for her nursing child for one year after the child’s birth each time such an employee has need to express the milk” in an area, other than the bathroom, that is shielded from view and free from intrusion. Employers with fewer than fifty employees, notably, are not subject to this FLSA break time requirement if compliance with the provision would impose an undue hardship, which is determined by looking at the difficulty or expense of compliance for a specific employer in comparison to the size, financial resources, nature, and structure of the employer’s business. Finally, although the law does not require pay for these break times, employers

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should be aware of general FLSA regulations regarding pay for rest periods of short duration, running from five minutes to about twenty minutes.\textsuperscript{13}

\textit{Recent Changes to the Family and Medical Leave Act}

The FMLA\textsuperscript{14} added two significant changes in 2009, providing military family leave to care for a covered family member with a serious injury or illness and leave for qualified exigencies arising from impending call or order to active duty. The qualified exigency leave is an issue that many employers have likely been facing over the last several years with the increased number of individuals serving in the military. With active military operations winding down to some extent, while it is important for employers to be aware of these regulations, this provision may not have as significant an impact as the leave to care for covered service members with serious injury or illness. Specifically, the new regulations provide for up to twenty-six weeks of unpaid leave during any twelve-month period for an employee who is the spouse, child, parent, or next-of-kin of a serviceman who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary disability or retired list for a serious injury or illness.

Because of the newness of these regulations, a significant amount of uncertainty exists with respect to how they will be interpreted, and it is extremely important for employers to be aware of them and their potential ramifications in the workplace. The application of these regulations should not vary significantly by industries, and employers in all industries should educate themselves on the provisions of these regulations and adopt them into their policies, handbooks, and human resources training. Furthermore, because of the uncertainty with respect to the ultimate interpretation of these regulations and the political climate, it is very likely that they will be interpreted in an employee-friendly way to take care of perceived needs of those serving in the military and their families. Accordingly, employers should be very cautious about undertaking litigation of these changes.

\textsuperscript{13} 29 C.F.R. § 785.18.

Also, at the time these regulations were enacted, the regulations clarified some of the notice and other provisions of the FMLA. Specifically, the regulations provide that an employer must notify an employee within five days (which has been increased from two days) after obtaining information sufficient to designate that absence is “designated as FMLA leave,” and the regulations require written notice. Additionally, the employer must include the number of hours, days, or weeks designated as FMLA leave and must provide an updated designation notice and amount of FMLA leave designated every thirty days if requested by the employee. The regulations clarified that an employee must provide thirty days’ notice or as soon as practicable of foreseeable leave, and requires an employee to provide information as to why it is not practicable to give thirty days’ notice if not foreseeable. The regulations also provide that notice will be deemed practicable if given on the day the employee becomes aware of the need for leave or the next business day. For unforeseeable leave, the employee must provide notice in the time prescribed by the employer’s usual and customary notice requirements applicable to such absences. Further, an employee must provide an employer with sufficient information for the need for leave, including information indicating that the condition renders the employee unable to perform job functions, and simply calling in sick is not sufficient notice. The employee must use the procedures for calling in or notifying employers of general absences for complying with FMLA notice. Significantly, if the employee does not comply with these provisions, the FMLA leave may be delayed or denied completely.

Therefore, it is important for employers to be aware of specific timing and notice procedures and consistently apply their policies and practices. Again, this requires self-education, clear and consistent policies and practices, and human resources/supervisor training. The benefit to employers is that these new regulations provide some level of specificity and certainty; if the facts are on the employer’s side in this regard, it should be more comfortable with litigation of FMLA issues than was the case pre-regulations. However, employers must be wary of the intent of the law, especially when they may not have promulgated or followed a consistent policy.
The Whistleblower Bounty Program

The whistleblower provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act)\(^{15}\) create monetary awards for individuals who provide original information to the Securities and Exchange Commission (SEC). Specifically, these individuals can receive a “reward” when information results in monetary sanctions exceeding $1 million in civil or criminal proceedings. The SEC has the discretion to determine the amount of the award, which generally ranges from 10 to 30 percent of the amount recouped. The SEC will consider the amount recovered, the significance of the information provided by the individual, the nature of any other involvement or benefit provided by the individual to the SEC, and the perceived deterrent value or encouragement the SEC deems appropriate to provide to other individuals. If the amount awarded is less than 10 percent of the amount recouped, the individual has the right to appeal the determination through an SEC administrative process.

The Dodd-Frank Act does not provide a private right of action for whistleblowers to prosecute SEC violations on their own, but it does create a private right of action for employees who have suffered retaliation “because of any lawful act done by the whistleblower in providing information to the SEC...in initiating, testifying in or assisting in any investigation or judicial or administrative action of the SEC...; or in making disclosures that are required or protected under the Sarbanes-Oxley Act.” The Act also creates whistleblower protections under the Commodity Exchange Act\(^{16}\) with respect to the Commodities Futures Trading Commission, and retaliation protections for employees in the financial services industry who suffer retaliation for disclosing information about fraudulent or unlawful conduct related to the offering or provision of a consumer financial product or service. Finally, the Act also strengthens whistleblower protections under Sarbanes-Oxley\(^{17}\) specifically broadening the scope of coverage, increasing the statute of limitations, exempting Sarbanes-Oxley whistleblower claims from mandatory arbitration, and clarifying the right to a jury trial.


Certainly, publicly traded companies need to be cognizant of issues with the SEC regulations and aware of their Sarbanes-Oxley obligations, and need to have clear and effective internal policies and procedures for handling any complaints that could create liability under the whistleblower and anti-retaliation provisions created and strengthened by the Dodd-Frank Act. There has been an increased amount of litigation under Sarbanes-Oxley in the last couple of years, and it appears that the Dodd-Frank Act is only going to strengthen this trend. Similarly, it is also expected that the litigation under the other whistleblower and retaliation provisions will increase as public understanding and familiarity with these laws grow. Employers need to evaluate and become familiar with certain high-risk areas and assess how they will handle issues as they arise.

The Genetic Information Non-Discrimination Act

The Genetic Information Non-Discrimination Act (GINA) became effective on November 21, 2009 and prohibits employers from acquiring certain genetic information about their employees. The Act includes a very expansive definition of the term genetic information, which encompasses not only the results of genetic testing, but also family medical history information. Employers need to be aware that although medical examinations are permissible in certain situations under the ADA, those examinations may uncover information that employers are not now allowed to have under this Act. For example, when requesting medical information from an employee, it is permissible under the ADA to determine the existence or extent of a disability; the information provided to the employer can include general health information of the employee, or the employee’s family medical history, which, to the extent it goes beyond information that the employer directly needs to evaluate the existence of and limitations caused by an employee’s disability, may be prohibited information under GINA. This is perhaps the most problematic area of the law, especially for employers that are attempting to engage in the statutory required accommodation process, which necessarily requires the gathering of information regarding an employee’s medical condition and limitations. The EEOC has proposed in its guidelines that any inadvertent disclosure of genetic information through the ADA accommodation process

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would not constitute a violation of GINA. However, this regulation is far from a safe harbor.

The statute also amended the Employee Retirement Income Security Act of 1974 (ERISA)\(^\text{19}\) to expand genetic non-discrimination protection under group health plans. This is certainly something that employers need to be aware of in acquiring group health plans, especially for employers who serve as administrators of their plans.

**The Patient Protection and Affordable Care Act**

On June 28, 2012, the United States Supreme Court issued its landmark decision upholding the individual mandate of the Patient Protection and Affordable Care Act (PPACA)\(^\text{20}\), which requires most Americans to maintain “minimum essential” health care coverage beginning in 2014. In *Nat’l Fed’n of Indep. Bus. v. Sebelius*,\(^\text{21}\) the Supreme Court held that penalties assessed for failing to maintain “minimum essential” coverage are essentially taxes and proper pursuant to Congress’ power under the Constitution. Although the new health care law is complex and ambiguous, one thing is certain: employers must brace themselves in light of the significant changes that will impact the workplace because of this decision.

The PPACA requires that most Americans maintain “minimum essential” coverage or a benefits package offered by a “grandfathered plan.” A grandfathered plan is a health care plan in which an individual was enrolled on March 23, 2010—the date of the PPACA’s enactment. Grandfathered plans are exempt from many, but not all, of the requirements otherwise imposed by the PPACA. However, regulations place limitations on the amount of changes that may occur before grandfathered status is lost. For example, grandfathered plans cannot, when compared to the policy in effect on March 23, 2010:


1. Eliminate all or substantially all benefits to diagnose or treat a particular condition;
2. Raise co-insurance rates;
3. Significantly increase deductibles or out-of-pocket limits; or
4. Significantly lower employer contributions by more than 5 percent.

Additionally, changes to annual limits paid by an insurer could also run the risk of causing a forfeiture of grandfathered status. Furthermore, in certain circumstances, a plan will also lose grandfathered status if an employer purchases insurance from a different insurance company.

The practical implication of the PPACA will boil down to whether employers will choose to provide benefits to their employees or opt to pay penalties instead. After conducting a cost-benefit analysis, an employer may determine that the best business decision for the company is to pay penalties rather than directly providing benefits, if possible. This will effectively impact the method through which employers negotiate employment agreements and severance matters. Specifically, an employer may deem that it is more efficient to increase salaries so that employees can obtain private insurance rather than providing benefits to its workforce as a whole.

The Labor Management Reporting and Disclosure Act

The Labor Management Reporting and Disclosure Act of 1959 (LMRDA) requires employers and unions to file annual reports disclosing certain financial transactions. The disclosure form employers are required to file is called “Form LM-10,” and forms required for unions are called “Form LM-30.” Generally, the forms require disclosure of money paid by employers to unions or received by union members. More specifically, employers must disclose payments, including loans or gifts, made to any union or union official, with certain exceptions (including payments by insurance and credit companies in the regular course of business, wages to employees, payments to satisfy court judgment or bona fide legal dispute, payments made in connection with the sale of a commodity at market price, payments of union dues deducted from an employee’s wages, and payments to certain

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benefit funds). There is a *de minimis* exception, which allows employers not to disclose payments, gifts, or loans of minimal value, which the DOL considers to be, in the aggregate, $250 or less. However, the payments, gifts, or loans should be unrelated to the recipient’s status in the labor organization and should be commensurate with what employers generally provide to similarly situated individuals who are not affiliated with unions. Employers must also include, on the LM-10 form, payments made to persuader individuals. Persuader activities include acts performed with the object of persuading employees to exercise or not exercise the right to organize and bargain collectively. The persuader activities can be third parties outside the company or internal persuaders.

In 2011, the DOL proposed a new rule, which has not yet been promulgated, narrowing the advice exemption to the LMRDA’s reporting requirement to combat underreporting of persuader agreements. Finally, if gifts, loans, or payments are given by individual employees to union officials, they do not need to be reported if they were from the employee’s personal funds; the employee is not a management employee or key personnel; the employee’s job does not involve maintaining a relationship or engaging in activities with the labor union; and the employee is not acting as the employer’s agent when providing payment from a loan or gift.

Labor organization officers or employees (other than exclusively clerical or custodial employees) who have directly or indirectly held any legal or equitable interest in, received any payments from, or engaged in any transactions with certain employers or businesses must file a Form LM-30. The purpose of this form is to make public any actual or likely conflict between the personal financial interests of union officers or employees and their obligations to the union and its members.

**Helping Clients Understand Employment Laws and Regulations**

Lawyers in this practice area should assist their clients in developing written policies and training for human resources personnel and supervisors. In addition to providing education to clients about these regulations, it is vital that lawyers stay abreast of the interpretation and developments of these laws and regulations, as there is a great deal of uncertainty as to how they will be applied. Additionally, lawyers should assist clients in adopting written policies
that provide the necessary provisions to comply with these laws and the flexibility to adhere to them as they develop. For example, with respect to the new FMLA changes and the new GINA requirements, there are a variety of regulations that need to be interpreted by courts before employers will know the exact limitations or specifications of these laws.

**Compliance and Defense Strategies for Management Regulations**

The compliance efforts in which employers should engage in the coming year should focus on three areas: (1) understanding existing laws and regulations dealing with employment practices and staying abreast of key changes; (2) adopting effective workplace policies and practices; and (3) training employees, management, and human resources personnel on both current laws and their company’s policies and practices.

Obviously, companies cannot assess and minimize their exposure without having some familiarity with the potential sources of the risks. It is imperative that companies become and remain educated on the ever-changing regulatory framework. As discussed above, this requires not only being cognizant of the relevant statutory and regulatory schemes, but the development of those provisions, as well as the stated goals for agencies tasked with enforcing those regulations. Counsel for companies must keep their clients up to date on all of these matters, with a specific eye toward the industry and business realities of their clients.

Along with adopting policies and practices to deal with compliance issues, it is important that companies assign one or more individuals with the responsibility of education and compliance as well as ensuring consistency of the company’s practices with respect to investigating matters, making decisions, and the treatment of similarly situated individuals and situations. The specific policies and practices should be reviewed and approved by counsel to ensure compliance with the law and by the subject business individuals.

Finally, the training of employees and individuals who make day-to-day decisions related to these policies and practices must be consistent. It is extremely important that each of these individuals is effectively trained on the policies and understands their roles, and that there is routine
supervision and regular interaction with them to ensure that the policies and practices remain relevant and appropriate. Appropriate topics for training include sexual harassment, the use of social media, employee wellness, and compensable travel time, just to name a few. Employers should maintain accurate records of those employees who do complete any sort of training, as such documentation could be later used as favorable evidence against employment-related claims.

Although the issues discussed above will be faced by companies regardless of their industry, it is certainly advisable for companies to be aware of how others in their industry are addressing these issues, both so that they can stay competitive and so that they can ensure sensible operational policies with respect to the legal challenges they face. For larger employers, there are also the added obstacles of maintaining consistent compliance with the legal requirements and operational policies in light of the number of personnel and multiple jurisdictions to be addressed. These companies will have to make a case-by-case determination as to whether their compliance strategy should be done on a regional versus a national or global basis.

**Federal Initiatives and Enforcement Trends**

The EEOC, in an effort to identify and implement new strategies that will strengthen its enforcement of Title VII and promote workplaces free of discrimination, has recently instituted an “E-RACE Initiative.” Under the E-RACE Initiative, the EEOC will identify issues, criteria, and barriers that contribute to race and color discrimination, explore strategies to improve the administrative processing and the litigation of race and color claims, and enhance public awareness of race and color discrimination in employment. The EEOC has set forth specific goals it would like to meet with respect to the E-RACE Initiative by 2013, and the likely outcome, for employers, will be additional employee claims of discrimination. Further, in the near future, employers and their attorneys should look for the EEOC to focus its efforts on equal pay, hiring issues, and increased ADAAA enforcement.

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From the DOL’s perspective, the current hot topic is the misclassification of employees as independent contractors. In September 2011, Secretary of Labor Hilda Solis announced the signing of a Memorandum of Understanding (MOU) between the DOL and the Internal Revenue Service (IRS). Under this agreement, the agencies will work together and share information to reduce the incidence of misclassification of employees to reduce the tax gap and improve compliance with federal law. In addition, labor commissioners and other agency leaders representing thirteen states have signed MOUs with the DOL’s Wage and Hour Division, and, in some cases, with the Occupational Safety and Health Administration (OSHA), the Employee Benefits Security Administration, the Office of Federal Contract Compliance, and the Office of the Solicitor. To this end, it is important to understand that, regardless of whether an individual is called an independent contractor, it will be the facts underlying the employment relationship, and particularly the amount of control exerted by an employer, that will determine employee or independent contractor status.

Conclusion

In sum, only a comprehensive understanding of the current laws and regulations facing employers, and the policies and goals of the enforcing government agencies, will help to minimize company and individual exposure to liability. With this understanding in hand, companies can take preventive measures, including developing lawful policies and conducting regular training; being prepared on the front end will help develop a tight defense strategy if a meritless claim should arise.

Because employment regulations and interpretations are ever-changing, it is particularly important to stay abreast of those changes through continuing legal education (CLE) seminars that are specifically tailored to this area of the law. Additionally, there are numerous resources, including newsletters, local employment bar sections, and case updates from several available sources, to keep you updated on new developments.

Key Takeaways

- Help keep client companies informed as to the potential management liabilities they may be facing. Assist them in developing flexible written policies and training for human
resources personnel and supervisors. Stay abreast of the interpretation and developments of new laws and regulations,

- Ensure that the client’s human resources or other departments are charged with fully understanding management liability issues, that appropriate policies and training programs are in place and are continuously monitored and updated to comply with the changing laws and regulations, and that employees are adhering to and applying internal policies and procedures.

- Assist companies with obtaining employment practice liability insurance and directors and officers’ liability insurance to minimize their exposure.

- Keep clients up to date on regulatory changes in this area, with a specific eye toward the industry and business realities of your clients. Make a case-by-case determination as to whether a client’s compliance strategy should be done on a regional versus a national or global basis.

- Attend continuing legal education seminars that are specifically tailored to this area of the law. Also, make use of other resources, including newsletters, local employment bar sections, and case updates from several available sources, to keep you updated on new developments.

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