



# Practices

## Related Practices

Breach of Contract  
Alternative Dispute Resolution, US  
Domestic Arbitration, and Mediation  
Complex Commercial Litigation

## Labor and Employment

Diamond McCarthy's Labor & Employment Law team combines the breadth and depth of its lawyers' big law backgrounds with the responsiveness and personal service of a boutique firm to provide high caliber advice to employers and executives. The L&E team values the relationships it builds with clients, working hard to understand not only the legal issues at stake, but also the business concerns that underlie them. This deeper understanding allows the team to provide tailored solutions to meet our clients needs.

Our Labor & Employment attorneys provide practical, real-world advice for clients. Rather than simply answering "yes" or "no" to questions, they provide clients an array of options, along with the risks associated with each, so that clients can determine the best option.

Our Labor & Employment team regularly represents employers and executives in the following adversary proceedings:

Administrative proceedings before federal and state agencies, such as the Equal Employment Opportunity Commission and local human rights commissions, National Labor Relations Board, Department of Labor, Occupational Health & Safety Commission, and local workforce commissions:

- Administrative proceedings before federal and state agencies, such as the Equal Employment Opportunity Commission and local human rights commissions, National Labor Relations Board, Department of Labor, Occupational Health & Safety Commission, and local workforce commissions
- Litigation in federal and state court in Texas and across the United States
- Arbitration in Texas and across the United States.

Our Labor & Employment lawyers regularly represent clients in the following transactional capacities:

**Counseling:** We assist in navigating complex employment issues, ranging from high-risk or high-profile termination decisions, managing employees with multiple protected statuses, and worker classification (e.g. employee versus contractor and exempt versus non-exempt) to protection of

confidential information through confidentiality agreements and post-employment restrictions, such as non-solicitation and non-competition agreements.

**Investigations:** We represent executives accused of misconduct during investigations. We also serve as neutral investigators into alleged misconduct upon request of employers or their counsel.

**Training:** We provide a wide array of tailored training on subjects such as discrimination, harassment, managing leaves of absence and performance management.

**Alternative Dispute Resolution:** Mark Shank, a Fellow in the College of Commercial Arbitrators as well as the College of Labor & Employment Law, also regularly serves as an arbitrator and mediator in employment as well as complex commercial litigation matters.

### **Representative Experience**

*For more information on our representative experience please reach out to our initial contacts or email [michael.evian@diamondmccarthy.com](mailto:michael.evian@diamondmccarthy.com).*