

Employment Litigation



HIGHLIGHTS

■ Comprehensive Employment Litigation Experience

Wilson Sonsini's employment litigation attorneys provide general advice and counseling, representation in high-stakes litigation and labor matters, negotiation of M&A deals, preparation of executive agreements, workplace investigations, and compliance monitoring.

■ Regional Focus; Nationwide Reach

Wilson Sonsini's employment litigation team is adept at advising multi-state employers and helping them remain in compliance with federal and state employment laws and related obligations.

■ A Collaborative Approach

Wilson Sonsini's employment litigators work closely with the firm's corporate, securities, employee benefits, and intellectual property practitioners to provide clients with timely and business-minded legal advice in areas that are at the core of the employer-employee relationship.

■ A Diverse Client Base

Wilson Sonsini's team represents clients in a variety of technology and growth sectors, including communications and networking, electronics, financial institutions, information service providers, life sciences, media and entertainment, open source, renewable energy, retail and consumer, semiconductors, software, and finance.

OVERVIEW

Every year, Wilson Sonsini's employment attorneys help more than 1,000 emerging and established companies navigate the ever-changing and complex landscape of state and federal employment laws. We provide proactive compliance strategies and litigation defense uniquely suited to visionary companies, entrepreneurs, investors, and founders in innovation hubs around the country. Our clients need prompt, cost-efficient, and expert advice; practical and business-oriented solutions; and strategic and effective litigation support—and our team delivers.

Our knowledge of the challenges faced by employers of any size, including entrepreneurial start-ups and global technology employers, is unparalleled. We understand how, when, and why employment law issues arise, and how best to effectively resolve them. We also appreciate the need for cost control, and we staff our matters accordingly. Our innovative approach is applied to every facet of our practice, including general advice and counseling, high-stakes litigation, negotiation of mergers and acquisitions, preparation of executive agreements, workplace investigations, compliance monitoring, and labor matters.

Employment Law Anchored in the Business Context

Challenging employment problems are not effectively addressed with cookie-cutter solutions. The firm's vast experience in the technology and emerging growth sectors truly sets us apart and allows our employment attorneys to offer advice and representation specifically tailored to the real-world challenges in those spaces.

We work hand in hand with the firm's corporate, securities, employee benefits, and intellectual property attorneys to provide our clients with expert advice across all areas that touch the full life cycle of the employment relationship as it plays out in the technology and emerging growth environments—from effective recruiting through termination and post-termination disputes. This experience gives clients our unique perspective on their employment matters.

Regional Focus, Nationwide Reach

Employment law differs—often dramatically—from state to state. Knowing site-specific case law and regulations, how different judges handle cases, and how opposing counsel settle disputes is often crucial to a successful outcome. In turn, clients often must apply different policies, use different contracts, and plan risks differently where they have multi-state operations. The firm's employment litigation attorneys have experience advising multi-state employers and keep up with case law around the country, with teams in place in key geographies such as the West Coast, the East Coast, and Texas.

What We Offer

Strategic Litigation

- Complex individual cases (involving executives or high-profile issues)
- Class and collective actions (including defending complex and high-stakes wage and hour cases for Fortune 500 companies)
- Trade secrets and employee mobility
- Government-initiated litigation in courts or administrative forums
- Amicus and appellate representation in high-visibility cases

Counseling and Advice

- Avoiding and reducing wage and hour liability
- Hiring "best practices"
- Board and audit committee advice on executive terminations, transitions, and misconduct
- Compensation issues
- Contract disputes
- Employee mobility and restrictive covenants
- Harassment and discrimination prevention training
- Independent contractor classification
- Intellectual property disputes and trade secret protection
- Internal compliance audits
- Labor Code violations
- Preparation of full employment infrastructure of agreements and policies
- Privacy issues
- Reductions in force and WARN compliance
- Whistleblower complaints
- Workplace violence
- Wrongful termination

Mergers & Acquisitions/IPOs

- Direct negotiations of merger agreements
- Post-merger integration services
- Liability assessment for parent and seller/diligence review
- Preparing target company for sale or public offering
- Non-compete and other restrictive covenants

Workplace Investigations and Monitoring

- Internal investigations on sensitive issues, including harassment, discrimination, and retaliation complaints
- Government compliance and investigations
- Consent decree monitoring
- Workplace audits

Labor

- National Labor Relations Board charges
- Department of Labor audits
- OFCCP/Affirmative Action plans, compliance reviews, and enforcement proceedings
- Union organizing efforts

Related Industries

Our employment law attorneys serve a wide range of technology and growth sectors, including:

- Communications and networking
- Electronics and computer hardware
- Financial institutions
- Information service providers
- Life sciences
- Media and entertainment
- Open source
- Renewable energy
- Retail and consumer products and services
- Semiconductors
- Software
- Venture capital