



**nilan  
johnson  
lewis PA**

## **EEOC Class Investigation and Litigation Defense**

Nilan Johnson Lewis has extensive experience and success in defending companies against EEOC class litigation and investigations, including directed investigations and commissioner's charges in various states across the country. These matters include a number of national class discrimination investigations, such as a commissioner's charge alleging that a client's pre-employment assessments violated the ADA and Title VII; national-directed investigations alleging age discrimination in hiring, discipline and terminations; and a commissioner's charge alleging Title VII violations arising from pre-employment criminal background checks. We have resolved nationwide class investigations and charges without any payment of money to the EEOC; we have won EEOC class claims at summary judgment; and we have persuaded the EEOC to abandon class claims upon a finding of no probable cause. Our record of success derives from a proactive and thoughtful approach to defending these claims. We do not merely react to the EEOC's investigation, we assist our clients in anticipating the EEOC's tactics and, thereby, shaping its investigations. This proactive approach has been crucial to resolving these matters on our clients' terms, instead of the EEOC's. At the same time, we have earned the EEOC's respect as effective problem solvers as much as forceful litigators.

## **Overview of our expertise**

### **Labor and Employment**

Affirmative Action Plans and OFCCP Compliance

EEOC Class Investigation and Litigation Defense

Discrimination Defense

Trials and Arbitrations

FLSA/Wage-and-Hour Defense

Executive Agreements and Severance

Labor Management Relations

Leave of Absence and Disability Advice/Defense

Non-Compete and Trade Secret Litigation

Pre-Hire Testing and Background Check Advice/Defense

Preventive Employment Counseling

Reductions in Force

Whistleblower/False Claims Act Defense

Workplace Investigations

Industry Focus: Health Care

Industry Focus: Retail

Industry Focus: Tech Startups