

Practice Areas

Labor and Employment

Affirmative Action Plans and OFCCP Compliance
EEOC/Agency Class Investigation and Litigation Defense
Discrimination Defense Trials and Arbitrations
FLSA/Wage-and-Hour Defense
Corporate Immigration Law
California Employment Law
Executive Agreements and Severance
Labor Management Relations
Leave of Absence and Disability Advice/Defense
Non-Compete and Trade Secret Litigation
Pay Equity Advice and Defense
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: Restaurants
Industry Focus: Retail
Industry Focus: Tech Startups

At Nilan Johnson Lewis, we understand the unique challenges faced by our retail clients, including those with hundreds—or even thousands—of domestic and international store locations. We appreciate that a national and, for some retailers, international employee base requires sophisticated, cutting-edge talent selection and management techniques. We know that maintaining a quality brand by consistently delivering positive and consistent customer experiences in a multitude of store locations is paramount to our retail clients. We also understand the importance of complex distribution networks to the retail business model and appreciate the special labor, wage and hour, and other challenges presented by nationwide and international distribution networks.

Our Labor and Employment Retail Team delivers deep and focused expertise to our retail clients, assisting them in advancing their business goals while controlling legal risk. We have invested in personnel and technology that allow us to manage nationwide class and collective litigation and patterned claims across the country. We proactively track statutes and regulations in all 50 states, as well as major cities, and provide regular updates and compliance advice. We understand the extrajudicial considerations involved in the litigation process and strive to tailor our defense of individual and class claims to achieve successful results in a way that is consistent with the company's brand, reputation, and business needs and goals. We also understand the complexities of U.S. immigration law and work with international retailers who wish to recruit top-notch international talent in managerial, executive, and specialized-knowledge positions.

Our Retail Team provides a variety of services to retail entities, including the following:

- Wage-and-hour defense in litigation against federal and state agencies as well as private parties
- Representation during DOL and other agency audits
- Wage-and-hour classification audits
- Class discrimination litigation defense against the EEOC, state agencies and private parties
- Pay equity audits, advice, and compliance
- Hiring and recruiting audits, advice, and compliance
- Pre-hiring testing and background check audits, advice, and compliance
- Managing reductions in force
- Policy and handbook drafting and audits
- Training and education for managers and human resources
- Proactive union avoidance and defense of union organizing campaigns
- Representation before the immigration agencies to facilitate the temporary and permanent transfer of intra company transferees, including international managers, executives, and retail professionals with specialized knowledge
- I-9 reviews and internal audits to ensure I-9 compliance programs meet regulatory standards