



## Employment Law Practice

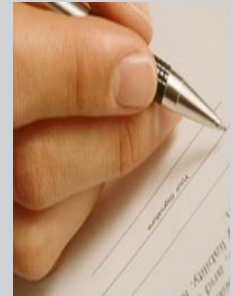
Companies doing business in California face the challenge of complying with myriad employment laws and regulations. Our team of talented employment attorneys can help. Our clients rely on us to show them how to streamline their human resources functions and prevent future disputes. We provide advice 24/7 on day-to-day personnel issues, perform audits, in-house training and investigations, and provide representation in complex and high exposure legal disputes.

### Advice and Counsel

Our team has years of experience in advising companies on the dos and don'ts of running a business – and in particular the managing of employees and their expectations. We know all too well how flawed contracts and unprofessional conduct can lead to costly litigation and settlements. Prevention is a critical component of any company's human resources strategy. As defense attorneys we understand the employment law issues from the view of management and realize how these issues impact your company's other important business functions.

#### We can help your business with:

- Pre-employment compliance
- Employment and consulting agreements
- Record keeping requirements
- Qualified retirement plans, 401(k) plans, multiemployer plans
- Independent contractor issues
- Affirmative action compliance
- Confidential and proprietary information agreements
- Workplace safety issues
- Sexual harassment issues and policies
- Labor-management relations
- Layoffs and the WARN Act
- Wrongful termination
- Termination practices
- Hiring practices
- Personnel policies and employee handbooks
- Compensation issues, including bonus and commission
- Wage and hour regulation
- Performance evaluations
- Disability issues (ADA)
- Family Medical Leave Act (FMLA)
- Employee leave issues
- Privacy issues
- Workplace violence issues
- Discipline and demotions
- Severance agreements
- Non-competition agreements or restrictive covenants



#### Contact

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## Internal Audits

A human resources audit will uncover areas where your company is at significant financial risk because of a failure to comply with the law. We can perform a detailed review of your company's existing policies, procedures, contracts, employee classifications, and compensation/benefit structures. Our attorneys then provide reasonable solutions to bring your business into compliance with current employment laws. Our audits, which are customized for your business and priced on a flat fee basis depending on scope, oftentimes pay for themselves with both uncovered cost savings and the minimized risk of litigation.

## Customized Training

California law mandates businesses with 50 or more employees to have its managers and supervisors undergo specific training in the prevention of sexual harassment every two years. In addition, your company's executives, boards of directors, human resources managers, and frontline managers who interact with employees and contractors all can benefit from tailored training programs.

We especially enjoy this area of our practice and we bring this enthusiasm to all of our training sessions. Our attorneys are popular and frequent speakers, presenting workshops on employment law topics ranging from practical solutions to workplace problems to emerging issues in employment law\*. Members of our employment law practice have been recognized by San Jose Magazine as among the foremost employment lawyers in Silicon Valley, and the media often calls upon us to comment on current legal developments. We will provide training at your company site or at our Silicon Valley or Tri-Valley offices. Programs range from two hours to multiple days, depending on your needs, and are priced on a flat fee basis. \*Ask us for a list of our most popular training programs.

## Discrimination in Housing

California has aggressively stepped up enforcement of its fair housing laws. Property owners and managers must know the law and be prepared for scrutiny in all aspects of renting, leasing, and selling.

The lawyers at Hoge Fenton understand the fair housing laws and know that property managers need practical information and tools they can use to ensure compliance. We perform fair housing training for managers and staff to inform them of the applicable federal, state and local laws. We help property owners, managers and staff implement policies and procedures to comply with those laws while effectively running the business. And, in the unfortunate event your company is facing a lawsuit for housing discrimination, we have experience successfully litigating such claims.

## Litigation

Despite your company's diligent efforts to avoid them, disputes sometimes happen. We defend businesses and their owners and managers against all types of employee complaints in state and federal courts and before such government agencies as the Federal Equal Employment Opportunity Commission, California Department of Fair Employment and Housing, and the California Labor Commission. We are hired both by businesses and executives directly and insurance carriers providing employment practices liability and general liability insurance coverage.

Hoge Fenton has a long and outstanding reputation for trial advocacy, with seven former partners now serving on the bench in our state and federal courts. Our employment litigators are prepared to vigorously defend your company through trial and in post-trial motions and appeals, if necessary. When appropriate, we use alternative resolution procedures such as arbitration, mediation and early neutral evaluation to minimize financial risk to your company.

## Representative Clients

Our clients range from start-ups and emerging companies to large, well established businesses, both headquartered in the U.S. with facilities in other countries, and headquartered abroad with facilities in California. Our clients represent a wide variety of industries, including alternative energy, banking and finance, construction and real estate, education, health care, manufacturing, media, tax exempt organizations, technology, and transportation.