

Employment & Labor Law



Fredrikson & Byron is an international law firm with over 375+ attorneys practicing across more than 35 practice and industry areas. We serve clients from 10 offices worldwide: Minneapolis, Des Moines, Ames, Bismarck, Fargo, Madison, Mankato, St. Paul, Saltillo, Mexico, and Shanghai, China. We've built a reputation as the firm "where law and business meet" by bringing business acumen and entrepreneurial thinking to our work with clients, and by operating as business advisors and strategic partners as well as legal counselors. Our lawyers blend a common sense approach with in-the-field experience, and we utilize our firm's strong reputation and our lawyers' broad networks of business and industry contacts to get things done effectively for our clients.

Fredrikson's Employment & Labor Law Group helps employers keep pace with the changing workplace to prevent problems from occurring in the first place. When problems do occur, we defend or institute lawsuits and administrative actions, using mediation and arbitration as appropriate to resolve disputes as quickly as possible. We work with employers of all sizes in virtually every industry to find effective solutions to workplace problems.

Employment Advice & Prevention

Practical, knowledgeable advice on:

- Hiring
- Discipline
- Discharge
- Employee benefits
- Employee leave laws, including family and medical leave
- Wage and hour laws
- Disability accommodation
- Independent contractors
- Confidentiality and non-compete agreements

Our attorneys help employers:

- Investigate harassment and other complaints
- Comply with wage and hour requirements
- Implement needed layoffs and reductions-in-force
- Develop comprehensive trade secret protection programs
- Draft and review employment agreements and policies
- Counsel and train managers and supervisors to comply with federal and state employment laws

Our attorneys draft and review the full spectrum of employment agreements and policies:

- Employment applications and other forms
- Employee and personnel policies, handbooks and manuals
- Employment contracts, and non-compete and non-solicitation agreements
- Federal, state and city affirmative action programs
- Drug and alcohol testing policies

Litigating for Employers

Our employment and labor attorneys are skilled and aggressive litigators. We represent clients in lawsuits relating to:

- Discrimination and harassment
- Retaliation
- Breach of employment or non-competition agreements
- Misappropriation of trade secrets
- Defamation
- Whistleblower
- Wage and hour

We litigate in federal/state trial and appellate courts around the country. We also represent clients before the full spectrum of federal, state and local agencies, including:

- Equal Employment Opportunity Commission (EEOC)
- National Labor Relations Board (NLRB)
- Occupational Safety and Health Administration (OSHA)
- Office of Federal Contract Compliance Programs (OFCCP)
- United States Department of Housing and Urban Development (HUD)
- United States Department of Labor (DOL)
- Department of Employment and Economic Development (DEED)
- State and Local Civil Rights Agencies

Employment Advice

- Advise on employee onboarding processes – medical, psychological and skills testing, drug and alcohol testing, reasonable accommodation, background checks, equal employment opportunity and affirmative action.
- Advise on strategies for managing employee leaves (FMLA, state leaves, disability, workers' compensation), return to work accommodation, performance management, discipline and termination.
- Advise on reductions-in-force and restructuring strategies, including preparation of agreements and WARN Act disclosures, analysis of potential disparate impact.
- Advise on investigations of sexual, racial and other harassment and discrimination complaints, bullying, drug use, wage and hour complaints, claims of unauthorized access to or release of medical and other confidential information.
- Draft employment contracts, including terms relating to executive compensation, change of control, severance, separation, noncompetition, trade secret and intellectual property.
- Advise on international employment issues, including preparation of agreements for international employees and expatriates.

Employment Litigation

- Defend employment discrimination lawsuits and administrative proceedings including: gender, age, race, religion, disability, marital status, national origin, and sexual orientation discrimination, harassment and retaliation.
- Defend wage-and-hour lawsuits, including collective/class actions.
- Bring and defend motions for injunctive relief in non-compete/fiduciary duty/trade secret misappropriation cases.

Labor Management

- Advise and develop union avoidance protocols, including relevant policies and strategies to remain union-free.
- Represent employers in connection with union organizing campaigns, unfair labor practice charges and grievances.

Recognitions & Rankings

- *Best Lawyers*® 2024 “Lawyer of the Year”
- *Best Lawyers in America*® 2024
- *Best Lawyers: Ones to Watch*® 2024
- 2023 *U.S. News – Best Lawyers*® “Best Law Firms” Tier 1 Metropolitan Ranking
- *Chambers USA* 2023
- 2024 *Minnesota Super Lawyers and Rising Stars*

Effective Compliance Services

Minnesota, Iowa and North Dakota Employment Law Guide:

- Updated and published annually by Fredrikson & Byron

Seminars and CLEs:

- Frequent seminars and webcasts on hot topics offered in Bismarck, Fargo, Des Moines and Minneapolis markets

Dedicated Team

Minneapolis

Nancy S. Anton
Claire E. Beyer
Lukas S. Boehning
Edward Q. Cassidy
Ingrid N. Culp
Janet M. Dorr
Erin M. Edgerton Hall
Krista A. P. Hatcher
Mary E. Heath
Thomas B. Henke
Melissa R. Hodge
Sarah A. Horstmann
Jade B. Jorgenson
Debra J. Linder
Ayesha Mitha
Bryan J. Morben
Penny S. Oleson

Anne M. Radolinski
Karen G. Schanfield
Joseph M. Sokolowski
Teresa M. Thompson
Ashley R. Thronson
David G. Waytz

Fargo

Beverly L. Adams
Kristy L. Albrecht
Aubrey J. Zuger

Des Moines

Kathryn Atkinson Overberg
Olivia N. Norwood
Bridget R. Penick
Devan Rittler-Patton
Emily S. Pontius
Kendra D. Simmons

Specialty Expertise In:

- Benefits
- Executive compensation
- ACA
- Immigration
- Workers' compensation
- OSHA
- Labor-management relations
- Wage-and-hour class/collective actions
- Non-competes and trade secrets

Deep Industry Experience:

- Agribusiness
- Banking and finance
- Health care
- Higher education
- Life sciences
- Manufacturing
- Non-profits
- Technology