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Employment Litigation + Dispute Resolution

Miller Canfield attorneys represent employers in state and federal courts, and before various state and federal agencies. Our clients value our proactive litigation strategies as well as our ability to cost-effectively manage litigation matters and negotiate resolutions to employment disputes.

Wage and Hour

Wage and hour claims represent one of the fastest growing employment litigation areas. Employees often claim that they are misclassified as exempt employees, are owed overtime compensation or additional wages for time spent working off the clock, or have been subject to unlawful deductions. Our experienced attorneys navigate these and other nuanced wage and hour issues arising under the FLSA and state law. We defend employers in both individual, class and collective actions and represent employers before administrative agencies. Additionally, our litigation avoidance team proactively addresses wage and hour issues through comprehensive compliance audits.

Equal Employment Opportunity

We have extensive experience in handling all types of harassment, discrimination and civil rights lawsuits. Our attorneys have counseled and represented employers in countless individual and multi-plaintiff actions throughout the country, developing considerable expertise defending harassment and discrimination claims based on race, age, gender, disability and other protected characteristics under both state and federal law.

Leaves of Absence, Accommodation Requests and Work Restrictions

Miller Canfield attorneys are adept at representing employers in litigation alleging violations of employment laws governing leaves of absence, requests for accommodations and work restrictions. Defending these claims requires detailed working knowledge of the interaction of various employment laws. We have successfully defended claims alleging violations of state and federal Family Medical Leave Acts, the Uniformed Services Employment and Reemployment Rights Act, the Americans with Disability Act and its state law counterparts, and workers compensation laws.

Wrongful Discharge, Breach of Contract and Whistleblower Claims

Recent legislation has expanded whistleblower protections to employees. Our attorneys are experienced in handling whistleblower claims arising under various federal statutes and under state Whistleblower Protection Acts. Additionally, we frequently defend employers against wrongful discharge and breach of contract claims.

Class, Collective Action + Complex Litigation

Our attorneys have substantial nationwide experience in class, collective and complex employment litigation. Decades of experience has provided our clients with successful, economic handling of high-risk cases. For more information, [click here](#).

Tort Claims

Plaintiffs frequently couple wrongful discharge or discrimination claims with common law tort claims, including claims for defamation, invasion of privacy and intentional infliction of emotional distress. We have developed extensive experience in defending against such claims, as well as counseling clients on how to avoid such claims.

Protecting Your Competitive Advantage

Departing employees that leave for competitors place an employer's confidential information and goodwill at risk. An employer that is slow to act may lose valuable intangible assets forever. Our attorneys are skilled at quickly and efficiently acting to enforce non-compete, non-solicitation and confidentiality obligations.

ERISA

We have several experienced litigators who focus on defending employers in ERISA denial of benefit, discrimination and breach of fiduciary duty claims. These attorneys work closely with Miller Canfield colleagues in the firm's Employee Benefits and Tax departments to provide expert assistance on all issues of ERISA compliance, tax planning, and tax administration.

Alternative Dispute Resolution (ADR)

We are well-equipped to represent clients in arbitrations pursuant to their own nonunion, in-house ADR policies and procedures. Additionally, we regularly handle all aspects of the administration of collective bargaining agreements, including advising employers on grievance issues as they arise and representing private and public employers at arbitrations. For more information on our traditional labor capabilities, [click here](#).

Administrative Proceedings

We represent clients before all manner of administrative agencies including the Equal Employment Opportunity Commission and state civil rights agencies, the National Labor Relations Board, state agencies responsible for public sector unions, the federal and state Departments of Labor and the U.S. Immigration and Naturalization Service.