

# Employment Due Diligence in Mergers & Acquisitions and the Hiring Process

Webinar

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Identifying and navigating employment issues that typically surface during a merger or acquisition can lay the foundation for a successful transaction that achieves desired business goals and minimizes integration and transaction-related risk. Careful planning and analysis during the due diligence phase of a transaction can help a company anticipate, proactively address, and prevent issues that could arise post-transaction and in hiring new employees.

General topics to be covered:

- Employment issues triggered by mergers and acquisitions
  - Wage and hour issues, including misclassification analysis, application of successor doctrine under the FLSA, and analysis of pay practices
  - Immigration issues, including review of I-9 forms and certain visas
  - Investigating pending and threatened employment claims from employees and government agencies
  - Analyzing existing employment agreements and related obligations
  - Deciding which employees to retain (and how to mitigate risk of discrimination claims) and managing the risk related to layoffs/RIFs and closures
  - Analyzing existing employment practices and policies (and post-transaction integration of policies)
  - Analysis of leave policies, including potential for successor liability under FMLA
- Post-transaction issues and general hiring due diligence

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- Hiring and employment agreements, including restrictive covenants
- Background and credit checks; impact of “ban the box” law
- Benefits of posting and maintaining clear and accurate job descriptions
- Restrictions on asking about prior salary history
- Mitigating risk when hiring from a competitor

Register online to attend this webinar.

## CONTACTS

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## RELATED CAPABILITIES

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