

## Wage and Hour

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With changing laws increasing liability for wage violations, paying employees properly is more important than it has ever been. Our experienced wage and hour lawyers stand ready to assist businesses with any wage-related issue.

*Services include:*

#### Litigation Defense

Attorneys in White and Williams's Wage and Hour group have achieved outstanding results defending businesses in a wide variety of industries against virtually every type of wage-related claim, including those asserted in class and/or collective actions.

#### Audit Defense

Our wage and hour attorneys have extensive experience defending wage and hour audits instituted by state and federal departments of labor. With encyclopedic knowledge of wage laws and significant experience with the agencies charged with enforcing them, our wage and hour lawyers are uniquely suited to assist clients through this often-unfamiliar process.

#### Risk Mitigation

Our wage and hour attorneys also have significant experience helping clients mitigate their wage-related risks. Such mitigation efforts include voluntary internal wage audits to assess the compliance of client wage practices and eliminate potential liability before it arises, as well as the implementation of arbitration programs with class action waivers, to minimize the risk of class-wide wage and hour lawsuits.

## REPRESENTATIVE MATTERS

Defeated certification in putative class action alleging misclassification of Pennsylvania independent contractors

Prevailed on motion to compel individual arbitrations in case involving truck drivers, on the grounds that arbitration agreement and class action waiver were enforceable under the New Jersey Arbitration Act, even if the Federal Arbitration Act was found not to apply

### PRACTICE CONTACTS

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Obtained dismissal of wage claims arising more than 2 years prior to the filing of the complaint, on the grounds that the New Jersey Wage Theft Act's expansion of the New Jersey Wage and Hour Law's limitations period from 2 years to 6 years does not operate retroactively

Obtained dismissal of claims for liquidated damages under the New Jersey Wage and Hour Law and New Jersey Wage Payment Law, arising prior to the enactment of the New Jersey Wage Theft Act, in August 2019, on the grounds that the amendment does not operate retroactively

Obtained dismissal of New York Labor Law sect. 193 claims for alleged unlawful deductions, and unreimbursed business expenses

Obtained dismissal of New Jersey Wage and Hour Law and New Jersey Wage Payment Law claims, because Plaintiff never worked in New Jersey

Obtained dismissal of unreimbursed business expense claim under the Pennsylvania Wage Payment and Collection Law

Obtained complete dismissal of wage collection actions brought by current and former employees before the New Jersey Department of Labor

Obtained summary judgment dismissing overtime claims against national craft retailer in arbitration matter

Successfully defended company in dispute over unpaid commissions brought by former salesperson under Pennsylvania Wage Payment and Collection Law

Successfully led clients through countless audits by federal and state departments of labor

Partnered with clients to develop compliant compensation practices and arbitration agreements to mitigate risk

In the context of mergers and acquisitions, analyzed risk and exposure under applicable wage and hour laws to strategically develop post-merger and post-acquisition risk avoidance and mitigation plans

Advised clients in seeking and obtaining helpful opinion letters from the department of labor on issues important to their businesses

## **PUBLICATIONS**

Spa Workers Entitled to Sunday Premium Pay Where Employer Also Sold Beauty Products  
*Labor and Employment Alert*, 9.14.23