

## Labor and Employment Practice Area

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Hunter, Smith & Davis, LLP began advising clients on labor and employment matters prior to the passage of the National Labor Relations Act in 1935 and has done so ever since. We are proud to offer across-the-board labor and employment law services for private and public sector clients of all sizes.

- Alternative dispute resolution
- Discrimination avoidance
- Employment Agreements
- ERISA pension or benefit matters
- Litigation of employment disputes
- Noncompetition / Nondisclosure Agreements
- Policy and procedure development
- Preventive Lawyering
- Traditional labor law (negotiating, defense of grievances and unfair labor practice charges)
- Union Avoidance
- Workers' Compensation
- Workplace investigations
- Workplace safety

We take a proactive approach by offering a variety of training programs designed to help employers avoid or minimize employment disputes.

### Employment Litigation and Administrative Claims

Despite their best efforts at prevention, many employers will face employment litigation in the courtroom or charges before an administrative agency. Hunter, Smith & Davis, LLP provides representation and guidance to clients in matters before the following agencies and others:

- Equal Employment Opportunity Commission (EEOC)
- National Labor Relations Board (NLRB)
- Occupational Safety & Health Administration (OSHA)
- Office of Federal Contract Compliance Programs (OFCCP)
- Tennessee Human Rights Commission
- U.S. Department of Labor
- U.S. Office for Civil Rights

Since the administrative step can be a prelude to litigation, attorney involvement – either as your known representative or assisting with your investigation behind the scenes – is highly advised.

### Management Oriented Guidance

The attorneys on our Labor and Employment team have seen every kind of problem an employee can face, and that experience is woven into the fabric of our services. From creation of personalized handbooks and policies, to on-site training for managers and employees, our Labor and Employment attorneys deliver the type of high-end guidance and consultation you need to run your business effectively.

## **Labor and Employment Training Programs**

Hunter, Smith & Davis, LLP works closely with employers to train managers and supervisors on a full range of legal requirements from hiring to performance management and including avoidance of discrimination / harassment and termination.

Our experienced labor and employment attorneys will help you create and implement a comprehensive training program. Click on the link to view a full list of Labor and Employment Training Topics.

## **Labor Relations and Union Avoidance**

Most workforces in America are not organized, and thus most employers are not required to negotiate with a union over their employees' wages, benefits, and working conditions. Many employers can attribute their union-free status to programs that emphasize prevention and feature sound employee relations strategies.

Whether your workplace is union-free and you want to stay that way, or your employees are represented by a union and you are looking for experienced lawyers to protect your interests zealously and within the bounds of the law, Hunter, Smith & Davis, LLP stands ready to help.

## **Workers' Compensation and OSHA**

Whether a workplace incident involves an injury to a valued employee or a potential OSHA issue, Hunter, Smith & Davis, LLP can assist in all phases of an employer's response. We have extensive experience helping Tennessee and Virginia employers reduce workers' compensation and OSHA exposures, from the posting of a citation or order for benefits to the judicial review of an administrative decision.

We can also assist in resolving the confusing interplay between workers' compensation, the Americans with Disabilities Act (ADA), and the Family and Medical Leave Act (FMLA).

## **Immigration**

Immigration law can be a complex challenge for many employers. Hunter, Smith & Davis, LLP has one of the only immigration law practices dedicated to employment-based issues in Northeast Tennessee. We help companies maintain compliance with rapidly evolving immigration policies and regulations, including proper Form I-9 completion and retention policies.

We also assist businesses in securing lawful immigration benefits on behalf of highly skilled and talented international employees, with an emphasis on the recruitment of physicians, health care workers, and multinational managers and executives. These benefits include H-1B, L and TN visas, J-1 visa waivers for physicians, as well as Lawful Permanent Residency (or 'Green Cards'), for persons of extraordinary ability.