

**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. Because of this early focus, we are proud to offer across-the-board labor and employment law services for business and municipal clients of all sizes.

- Alternative dispute resolution
- Discrimination avoidance
- ERISA pension or benefit matters
- Labor law
- Litigation of employment disputes
- Policy and procedure development
- Workers' compensation
- Workplace investigations
- Workplace safety

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

Employment Litigation and Administrative Claims

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

- 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

Our team members have seen every kind of problem and client walk through our doors, and that experience is woven into the fabric of our services. From creation of personalized handbook policies, to on-site training for managers and employees, our labor and employment attorneys delivers 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 in regard to hiring, performance management, discrimination, harassment, and termination. If your company has employment practices liability insurance (EPLI) coverage, training may also mean mitigation credit toward your deductible or even reduced annual premiums.

A conservative estimate of defense costs for employment-based litigation is \$125,000, not including the damages awarded if you happen to also find yourself on the losing end. Increased workers' compensation premiums, higher employee turnover, and reduced employee morale often accompany high levels of employee dissatisfaction.

Our experienced labor and employment attorneys will help you create and implement a comprehensive training program.

Labor Relations and Union Avoidance

Most workforces in America are not organized, thus most employers are not burdened by an obligation 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 dedicated immigration law practices in Northeast Tennessee. We help companies maintain compliance with immigration 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 higher education staff and faculty. These benefits include H-1B, L and TN visas, J-1 visa waivers for physicians, as well as Lawful Permanent Residency (or 'Green Cards').