

Employment & Executive Compensation

Supporting you and your business as you manage and navigate all of your employee related issues.



LP's Employment & Executive Compensation Group has the depth and experience to provide you with practical advice when you need it in today's fast-changing business world.

Levenfeld
Pearlstein

Our attorneys routinely advise employers on compliance with the full range of federal, state, and local employment laws, and assist companies in implementing sound policies, practices, and programs to avoid problems in the future. We have experience handling virtually every type of employment matter and the know-how to help you effectively resolve even the most complicated issues.

When disputes arise, we know that employment and benefits-related matters are often about more than just the damages being claimed. You have core values that you take seriously, and we will help you protect them.

When working with our team of experienced employment and benefits attorneys, we'll give you the confidence to make the informed and intentional employee-related decisions that keep your business moving forward.

PREVENTION & COMPLIANCE

We draw on our extensive experience as employment law practitioners to help our clients understand their compliance obligations, conduct risk-benefit analyses, and carry out necessary employment actions. Over the years, we have learned that a 15-minute phone call can prevent thousands of dollars in litigation costs, and that employers can pay a price for taking the right action in the wrong way. We also know that counseling is not helpful unless it is timely, so we pride ourselves on being available whenever our clients need us, day or night.

Some of the most common situations we help our clients navigate include:

- Performance and disciplinary counseling
- Termination decisions
- Layoffs
- Plant and office closings
- Leave of absence and accommodation requests
- Exempt and non-exempt wage and hour classifications
- Independent contractor vs. employee classifications
- Internal complaints of harassment, discrimination, and retaliation
- Responding to claims by whistleblowers
- Pre-employment screening and testing
- Post-accident response and responding to OSHA inquiries



EMPLOYMENT CONTRACTS & OTHER AGREEMENTS

We draft and negotiate the full range of agreements that can arise in employment settings. In preparing such agreements, we can also draw on the experience of LP's tax and securities counsel.

We have represented large and small companies as well as senior executives in connection with agreements, including:

- Non-compete and non-solicit agreements
- Confidentiality and invention assignment agreements
- Employment agreements
- Offer letters
- Special bonus and compensation agreements and plans
- Retention agreements and plans
- Severance agreements and plans
- Independent contractor and consultant agreements
- Temporary staffing agreements

EXECUTIVE COMPENSATION

We offer sophisticated advice on individual executive employment arrangements for both companies and C-Suite executives. We work with employers to develop and implement programs that are designed to effectively attract and retain talent and incentivize key employees to work toward business goals and build the organization, all while complying with the full spectrum of employee benefit and tax laws.

CORPORATE TRANSACTIONS

We offer our clients representation with respect to labor and employment matters in corporate transactions. In some cases, we work alongside attorneys in our Corporate Group to handle all aspects of a transaction. Just as often, a client will ask us to partner with other outside counsel and handle only the labor and employment matters.

Our role in corporate transactions includes:

- Assisting with due diligence
- Reviewing labor and employment terms in transaction documents
- Negotiating contract terms to ensure they meet our clients' goals
- Planning and carrying out closing and post-closing integration steps
- Standardizing human resources policies and procedures in newly acquired entities
- Negotiating employment and retention agreements for key personnel
- Drafting non-competition, non-solicitation, and confidentiality agreements for employees who will be retained post-closing

In addition, we often assemble and coordinate international counsel to provide clients with representation across jurisdictions. We have handled employment matters in transactions involving almost every continent and over 50 countries.

EMPLOYEE BENEFITS

We are well-versed in retirement and health and welfare plan creation, administration and termination work, and, handle corrections advice and representation through governmental audits or participant complaints.

MERGERS & ACQUISITIONS

We work closely alongside both buy-side and sell-side clients to ensure that risk is appropriately allocated and that the employees effectively transition, protecting this critical asset throughout the sale process and beyond.

LITIGATION

We represent our clients in a diverse range of settings and at all stages of the litigation process, from pretrial matters through trials and appeals. We appear on our clients' behalf before administrative agencies such as the Equal Employment Opportunity Commission, state and local fair-employment practices agencies, and state and federal Departments of Labor. We also appear in state and federal courts both in Illinois and around the country, and we represent our clients in arbitrations. We defend matters involving single plaintiffs as well as multi-plaintiff and class actions.

We regularly litigate equal employment, wage and hour, and whistleblower cases, including those involving:

- Title VII of the Civil Rights Act of 1964
- The Age Discrimination in Employment Act
- The Americans with Disabilities Act
- The Family and Medical Leave Act
- The Illinois Whistleblower Act
- The Sarbanes-Oxley Act and other federal whistleblower protections
- The Illinois Human Rights Act and other state and local discrimination laws
- The Fair Labor Standards Act and state wage and hour laws
- Employee Retirement Income Security Act (ERISA)

We have also represented clients in many other employment litigation matters, including cases involving trade secrets, restrictive covenants (including non-compete agreements and non-solicitation), and employment agreements.

Connect with our Employment & Executive Compensation Group. We're here to help you make the decisions that will keep your business moving forward. Get in touch today.

CONTACT US