

Employment Litigation

Unfortunately, litigation cannot always be avoided and companies are too often forced into the position of aggressively defending themselves and enforcing their rights. Masuda Funai represents businesses of all sizes on employment, labor and benefit claims and lawsuits. Many employment disputes are highly-charged, often filled with emotion, and have the potential to become public. These disputes may harm a company's reputation even if allegations are totally false. We understand what is at stake in terms of business reputation, financial exposure, and workforce moral problems associated with employees' complaints and litigation.

Our employment litigators aggressively defend companies against claims of discrimination, harassment, wrongful discharge, breach of contract and unpaid regular and overtime wages as well as alleged violations of federal, state and local labor and employment laws such as unfair labor practices and OSHA citations. We take the requisite action when and where it is needed to protect companies from the misappropriation of trade secrets as well as employee theft and embezzlement. Our lawyers regularly appear before federal and state agencies and courts throughout the country. In addition, we actively promote the use of alternative dispute resolution methods, such as mediation and arbitration, to achieve cost-effective and fair solutions.

Our firm is well-versed in the many laws that govern the employer/employee relationship, including Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA), whistleblower claims under the Sarbanes-Oxley Act (SOX) or Dodd-Frank Act, the National Labor Relations Act (NLRA), the Occupational Safety and Health Act (OSHA), and the Employee Retirement Income Security Act (ERISA). Our lawyers have extensive knowledge of these laws and regulations, a critical component to initially fending off, diplomatically resolving or aggressively fighting employment disputes.

The firm represents companies in the increasing number of individual and class action wage and hour claims. We work diligently with clients to review payroll, timekeeping, meal period, rest break, minimum wage, job classification practices to identify potential compliance issues and offer "best practices" recommendations, policies and procedures. These efforts can greatly reduce our clients' risks of exposure to costly minimum wage and overtime claims. However, we have also defended large wage and hour single plaintiff, multi-plaintiff and collective action lawsuits on a national scale. We have proven time and again a company's ability to defend actions brought by private parties and the federal government as we negotiate, settle and, if necessary, litigation such claims in our clients' best interests.