

WAGE & HOUR

Hodgson Russ's wage and hour attorneys have extensive experience representing and advising employers in a wide range of industries. We frequently assist employers in the banking, construction, health and home care, manufacturing, trucking, and hospitality industries with overtime, minimum wage, wage deduction, misclassification, off-the-clock, and independent contractor-related wage and hour issues. Our attorneys have thorough understandings of the unique rules and compliance issues in each of these industries. We are adept at identifying wage and hour issues before they become claims and in assisting businesses in developing compensation arrangements that satisfy business objectives and minimize risk, bringing a practical approach to these matters and delivering cost-effective solutions that make business sense.

Wage and Hour Compliance

Our wage and hour attorneys assist clients in developing effective and defensible compensation arrangements. We regularly conduct internal audits to identify risks and offer sound and practical advice to mitigate those risks. We assist clients in developing effective compensation plans for salespersons and crafting effective and compliant employment policies and practices. We have experience with virtually every type of wage scenario and assist our clients in identifying issues before they become problems. We are skilled in creating opinion letters that can be important in developing defenses to our clients in connection with certain claims. Our multidisciplinary approach to these situations allows us to develop solutions to wage and hour issues that are practical from an employee benefit, tax, and corporate perspective and that also make good business sense.

Litigation

In the event litigation arises, our attorneys have successfully represented clients in both individual and class and collective-action claims. We understand the intricacies and issues that arise at every level in these cases, from initial certification through defense on the merits. Our attorneys are skilled in developing cost-effective litigation strategies to resolve cases early when beneficial to our client and in aggressively defending claims when it is not.

Administrative Audits

Hodgson Russ's wage and hour attorneys regularly represent clients in connection with federal and state administrative audits. We have successfully handled administrative claims involving individual workers as well as audits involving many thousands of workers. We have strong working relationships with many federal and

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Professionals

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state labor auditors and investigators and extensive familiarity with the administrative process to best position our clients to obtain favorable outcomes.

For information, analysis, commentary, and resources on the latest developments in employment law, visit our blog, *Employers' Advisor*, or subscribe to receive new blog entries by e-mail.

Experience

Hodgson Russ successfully represented a large company in connection with a wage-and-hour audit by the U.S. Department of Labor regarding the exempt status of certain workers under the Fair Labor Standards Act.

Representation of a company and its owners in defense of class action claims accusing the company of violating federal and state wage and hour laws. (U.S. District Court, Northern District of New York). Matter handled prior to joining Hodgson Russ.

In the News

Coronavirus Resource Center

Questions still surround changes to New York state's paid leave laws
Buffalo Law Journal, October 21, 2020

Home Care Wage Ruling Will Have Financial Impact on Providers
Buffalo Business First, August 25, 2015

Press Releases

Labor and Employment Attorney Charles H. Kaplan Joins Hodgson Russ
Hodgson Russ Press Release, March 24, 2020

Publications

New York Employment Law
New York Law Journal, October 7, 2020

Governor Cuomo Issues Executive Order Mandating Post-Travel Quarantine
Hodgson Russ Labor & Employment Alert, June 29, 2020

DOL Provides More Clarity on Families First Coronavirus Response Act Leave Provisions
Hodgson Russ Labor & Employment Alert, March 29, 2020

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DOL Proposes On-Call and Call-In Pay Requirements

Labor and Employment Alert, November 28, 2017

Federal Judge Rules that Home Care Agency Was Not Required to Pay Aides Overtime at One and One-Half Times the Regular Rate While the Home Care Final Rule Was Vacated

Wage & Hour Alert, December 29, 2015

Wage and Hour Issues in Inclement Weather Business Closures and Reductions in Hours

Wage & Hour Alert, December 3, 2015

Labor Law Section Expanding Right of Employers to Make Deductions From Employees' Wages Has Been Extended for Another Three Years

Labor & Employment Alert, November 5, 2015

Live-In Aides Continue to Give Employers Sleepless Nights

Wage & Hour Alert, September 16, 2015

New U.S. DOL Memo Concludes Most Workers Are Employees, Not Independent Contractors

Labor & Employment Alert, July 15, 2015

U.S. Department of Labor Issues Proposed Rule Amending the FLSA White Collar Exemptions

Labor & Employment Alert, July 14, 2015

Presentations & Events

Kinsey O'Brien, Thomas Grenke Speak On Transparency in Job Postings

March 15, 2023

Ask the Experts

June 16, 2021

2021 FLSA Compliance (Virtual Master Class)

January 27-28, 2021

New York State's Sick Leave Law: What Employers Need to Know Now

October 27, 2020

What Employers Need to Know about Reopening the Workplace

May 15, 2020

Labor & Employment Seminar

Offices of Hodgson Russ LLP, New York, NY, December 12, 2019

Labor & Employment Seminar

The Century House, Latham, NY, December 5, 2019

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25th Annual Labor & Employment Conference
Buffalo Niagara Marriott, Amherst, NY, November 14, 2019

Wage and Hour Update: The Newest and Toughest Issues Facing Home Care
December 13, 2018

21st Annual Labor & Employment Conference
Buffalo/Niagara Marriott, 1340 Millersport Highway, Amherst, NY, November 5, 2015