

Employment & Labor Law

Saiber has particular strength in helping employers address the many facets of the employment relationship through preventive counseling and litigation. Our attorneys bring decades of experience representing companies large and small in virtually all aspects of employment law. We represent closely-held businesses, national and multinational corporations, public and private universities and government agencies in a variety of industries, including education, insurance, healthcare, financial services, information technology, pharmaceuticals, and manufacturing.

Our reputation for being a go-to firm for employment law has consistently earned us top rankings by *U.S. News & World Report* within the New Jersey Employment Litigation category. In addition, Saiber attorneys frequently speak, write and present educational programs on the latest developments concerning employment law in New Jersey and regionally.

Employment Counseling & Training

Avoiding costly employment litigation is our primary objective when advising clients. We audit, develop and update personnel policies, draft employee handbooks and train clients to deal with sensitive workplace problems, including sexual harassment, substance abuse and employee privacy.

We provide counseling on employee discipline and discharge, reductions-in-force, wage and hour issues, and compliance with EEO and other regulatory requirements. In so doing, we draw on our knowledge of the state and federal statutes and regulations affecting the employment relationship, including Title VII, the Age Discrimination in Employment Act, the Older Workers Benefits Protection Act, the Americans with Disabilities Act, ERISA, New Jersey's Law Against Discrimination, New York Human Rights Law, and the federal and state statutes governing family and medical leave. The firm represents clients in negotiating and drafting employment agreements, restrictive covenants, confidentiality agreements, severance agreements, stock option plans and incentive bonus plans. While we cannot prevent an employee from filing a lawsuit, we strive to minimize our clients' liability by crafting strong and clear agreements, policies and procedures.

Training and Educational Seminars on Workplace Issues

Our attorneys are recognized experts in the field of employment and labor law and regularly present educational programs and training sessions for employers regarding compliance with state and federal laws and regulations, including those governing wage and hour issues, family leave, disability, employment discrimination, sexual harassment and retaliation.

Employment Litigation

Our clients rely on our ability to litigate effectively in state and federal courts, before federal, state and local regulatory agencies in New Jersey and New York and through arbitration and mediation. We handle the full range of matters, including defense of discrimination claims based on race, color, religion, national origin, ancestry, age, marital status and affectional or sexual orientation, and claims of sexual harassment and other allegations of discriminatory or disparate treatment.

Our attorneys regularly defend clients against claims of wrongful termination and breaches of employment contracts, and the increasingly common claims of defamation and intentional infliction of emotional distress stemming from a termination or employee discipline. We provide both the defense and prosecution of claims relating to breaches of restrictive covenants, improper disclosure of trade secrets and proprietary information and unfair competition by former employees. We also represent clients in an array of other employment related matters, including whistleblower claims, disputes over ERISA-governed benefit plans as well as stock option and severance disputes.

Investigations

Our attorneys have extensive experience conducting comprehensive investigations in a range of matters for our clients. We investigate issues concerning inappropriate conduct in the workplace, ethical violations, conflicts of interest, whistleblower retaliation, policy violations, harassment and bullying. We regularly conduct in-depth employee interviews, gather and document relevant evidence, and draft detailed investigative reports. While we tailor our investigations to our clients' specific needs, we ensure each matter is handled fairly and in a confidential and independent manner.

Labor Law

Our experienced attorneys represent management in all aspects of labor and employment law, including labor arbitrations, unfair labor practice hearings before the National Labor Relations Board (NLRB), hearings before the NLRB and administrative hearings before the United States Department of Labor (DOL), the Equal Employment Opportunity Commission (EEOC), the New Jersey Division on Civil Rights, and the New York Division of Human Rights. We also negotiate collective bargaining agreements and are experienced in all aspects of legal proceedings relating to labor disputes in both state and federal courts and before administrative agencies.

In addition, we are experienced in the full range of wage and hour issues arising under the Fair Labor Standards Act (FLSA), the New Jersey Wage and Hour Law and the New Jersey Wage Payment Act, New York Labor Law, and the New York State Minimum Wage Act. We also handle proceedings arising under the Occupational Safety and Health Act (OSHA).

Immigration

Saiber provides U.S. immigration law-related legal counseling and advice to businesses and individuals, as well as to clients and members of other professional organizations.

Specifically, we are available to consult and render legal services with regard to employment based immigration, job portability, worldwide U.S. consular practice, remedies for status violations, mergers and acquisitions, immigration related corporate policies, crisis communication, government investigations, waivers of ineligibility, employer sanctions, legislative advocacy and immigration/naturalization-related litigation.