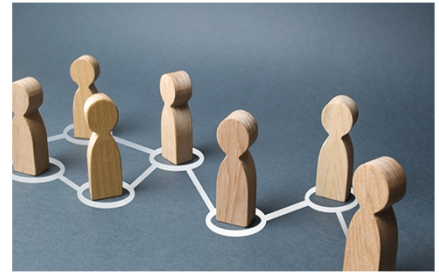


EMPLOYMENT CLASS & COLLECTIVE ACTION



Husch Blackwell helps clients avoid costly wage-and-hour claims. Our team advises on the Fair Labor Standards Act (FLSA) and analogous state statutes involving worker classification, off-the-clock claims, compensation structures, overtime pay, and independent contractors. By auditing clients' existing policies and practices, we address potential liabilities before they become lawsuits.

When clients face investigations and audits by the Department of Labor (DOL) or other government agencies, our attorneys review records, prepare managers and witnesses, and negotiate with investigators. If a claim or suit does occur, our experienced litigators step in immediately as fierce advocates to achieve the best outcome possible—whether that means persuading opposing counsel to delay or drop a suit, settling quickly, or fighting in the courts.

Our wage and hour guidance to clients includes:

Class and collective actions

Misclassification claims

Department of Labor audits

Internal investigations

Tipped workers

When we were hit with a complex web of wage and hour class actions, Husch Blackwell was the natural choice. The team's expertise in the substantive legal issues, combined with the investment they made to develop a deep knowledge of our business, has made them a uniquely effective litigation partner.

— Carey L. Bartell,
Vice President, Chief
Counsel – Legal &
Government Affairs,
Conagra Brands Inc.

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Donning and doffing

Travel time

Rounding

Automatic meal period deductions

Regular rate of pay

Representative Experience

Successfully defended complex collective and class actions under Fair Labor Standards Act (FLSA) and Arkansas Minimum Wage Act (AMWA).

Defended ConAgra Foods in major class and collective action filed by supervisors who sought overtime compensation because they allegedly were misclassified as "exempt" under state and federal wage and hour laws. Eighth Circuit Court of Appeals affirmed summary judgment for ConAgra and found that the supervisors satisfied all tests for the "executive" exemption under the FLSA and state law. The court also ruled on an issue of first impression and agreed that the plaintiffs were liable to ConAgra for its litigation costs.

Represented major home healthcare agency in defeating motion for conditional certification of nationwide class of plaintiffs seeking overtime wages in FLSA collective action.

Served as lead counsel for ConAgra in *Adair v. ConAgra Foods*, a collective action filed by employees seeking compensation for walking to/from work stations and

adjacent dressing time. In a novel decision, Conagra prevailed, with the Eighth Circuit Court of Appeals ruling that Conagra did not violate the FLSA.

Constantly represent multiple firm clients in defense of wage and hour claims under California law, particularly meal/rest periods and derivative claims, in class actions resulting in favorable resolutions.

Represented Suddenlink in a collective action filed by a group of call center employees who alleged they were not paid for periods of time spent prior to clocking in (booting up computers and other work activities).

Obtained summary judgment on behalf of nationwide employer in class action case alleging violations of state and federal wage and hour laws. Decision was upheld by Eighth Circuit Court of Appeals.

Represented home healthcare company in securing dismissal of wage and hour claims brought against it by former employees.

Defended healthcare group and management company in FLSA lawsuit where plaintiffs alleged they were misclassified as independent contractors.

Led the defense of a class and collective action where plaintiffs claimed unpaid overtime with alleged damages in the seven figures.