

Employment & Labor

We know the employment issues that technology and life sciences companies confront daily. Having worked for decades with the top innovative companies — both as venture-backed and public companies — we know what employment challenges they face, and when.

More importantly, our deep experience in these industries allows to anticipate and resolve employment issues practically, efficiently and cost effectively. Our clients have come to expect not just employment advice compliant with the law, but also the strategic business advice that helps companies grow and manage a world-class workforce.

Startups and maturing companies rely on our experienced employment attorneys for practical counsel that scales as their organizations evolve.

Right-sized, practical guidance. We work to provide counsel which is right-sized for the business you have today and anticipates the company it will become. We help business leaders to cover their bases, focusing always on giving advice which is consistent with their organization's current needs and growth trajectory. We emphasize practical and preventive measures that also promote a productive work environment that attracts top talent and motivates employees.

Full-service employment counsel. We represent companies and entrepreneurs across a full range of sophisticated matters, including shareholder issues, wage and hour matters, worker classification, disputes arising out of mergers and acquisitions, harassment, discrimination, pay inequity issues, and employment termination (including layoffs and reductions-in-force). We also help clients avoid potential landmines when navigating complex employment regulations at the federal, state, and local levels.

Safeguarding trade secrets. Our clients are innovators whose success depends on ensuring their novel and often industry-changing technologies don't walk out the door when an employee does. Among our team is a partner who is nationally recognized as one of the top lawyers handling matters involving non-competition and non-

solicitation agreements and misappropriation of trade secrets. We help you stay ahead of the risk.

Litigation insight. Among our employment partners are former litigators and trial lawyers which gives them special insight into how to best mitigate risk and avoid costly litigation.

Tailored Solutions for Early-Stage Companies

We understand that most early-stage companies haven't been employers for very long, and that thinking about employment regulations is typically not a high priority in a fast-moving business environment where the success of the company is a day-to-day concern.

We know, too, that the person at an early-stage company responsible for hiring and human resources also has other high-level responsibilities.

Holding your hand. We work with early-stage employers to provide just the right amount of advice on employment issues to protect the company and keep it going smoothly, without getting bogged down in time- and money-consuming solutions to problems that don't exist.

Nimble counsel. We know that early-stage companies may engage top talent as advisors rather than employees and operate with less formality than more established companies. We navigate your reality, and we scale our counsel with precision to the specific employment issues your company faces.

Cost-conscious solutions. We know that cost is always a central concern, and we have devised technology-driven and other highly cost-effective methods of providing support on employment issues.

Strategic Employment Counsel for Late-Stage and Public Companies

We have extensive experience taking our early-stage clients to late-stage and beyond, helping them to navigate the employment issues of greatest concern to investors and addressing the most common routine issues with efficient and cost-effective solutions. We help them put in place cost-effective systems for preventing costly disputes and, when necessary, advise on employment-related crises that threaten a company.

Training and Risk Management. Preventing crises is almost always more cost-effective than resolving them after they arise, and our employment team excels at leading supervisors and managers, human resources leaders, and in-house legal teams through training in employment issues, including regulatory compliance.

M&A Transactions. We advise growing companies on mergers, acquisitions and asset purchases, and sales where employment matters need to be addressed in the course of due diligence. We have deep experience advising on the implications for transactions of restrictive covenants, worker classification, representations and warranties, indemnification, and evaluating possible disputes and past disputes to be sure they are understood.

Exits and IPO Strategies. We work closely with late-stage companies as they plan exit strategies or as they acquire assets from other companies in their growth trajectory. We know the employment issues of concern to both investors and executive teams — restrictive covenants, worker classification, indemnification, for example — and how to address them and keep deals on track.

Crises. We stand ready to address complex employment issues and crises which arise — when an employee has committed a crime, for example, or where theft or embezzlement is suspected.

Focused Support for Venture Capital Funds

We understand the unique employment law needs of investment and private equity funds, which have considerably fewer employees and a workforce which is highly specialized and highly compensated.

Customized training. We know that funds, as distinct from companies, have unique needs when it comes to employment law, issues, and regulatory compliance. We design and provide training tailored to the specific needs of your workplace.

Employee Exits. We help our fund clients strategize the exit of key employees while considering the web of relationships — with limited partners and others — that will be affected.

Sensitive dispute resolutions. We recognized that employment disputes at funds affect relationships with limited partners and portfolio companies, and we work to minimize negative consequences sensitively while protecting the interests of funds as employers.

We speak your language. We know that to advise funds on employment issues, we need a different vocabulary from the one we use with company employers. We know yours, and we use it — bringing insight and sensitivity to the unique employment challenges of fund employers.

Pioneering Technology for Efficiency and Self-Service

We continue to develop and improve technologies to provide clients with appropriate legal guidance while reducing costs.

Streamlined guidance. Our secure, online SMART Requests tool allows clients to request attorney guidance on important employment matters without a lot of costly back-and-forth. Clients can share the most critical information needed to draft documents or get advice right from the start.

Self-service agreements. With this tool, clients self-serve complex agreements such as employment offer letters, proprietary information agreements, and invention assignment agreements quickly and efficiently — at no cost to the client. Continuously updated with the latest legal regulations and requirements, the system guides clients through a questionnaire, enabling them to navigate the patchwork of federal and state laws in a user-friendly way while gaining insight into the legal reasoning and ramifications behind making certain choices in employment situations.

AI and the Future of Work and Employment

We have always been passionate about innovation in the workplace — finding new efficiencies in the way we deliver services to clients as well as advising clients about how AI and other emerging technologies will affect their employees, workplaces, employment agreements, and regulatory compliance.

AI & workplace integration. Our employment lawyers bring deep knowledge of the world of technology to the advice we provide to clients, including advising on the evolving regulatory landscape and the key legal considerations to promote safe and compliant use of generative AI tools in the workplace. Clients come to us to help them integrate AI into their workforce safely and sustainably.

Seeing what's next. In addition to AI, we have extensive experience advising on issues related to incorporating robotics, biometrics, telepresence, and other workforce enhancement technologies, as well as re-skilling employees to facilitate tech adoption.