



ALEXANDER | DEGANCE | BARNETT

Practice Areas

Attorneys at Alexander DeGance Barnett have a broad range of experience dealing with many aspects of labor and employment, including those listed below. For more on these areas, visit www.adblegal.com.

Civil Litigation and Trial Practice

We try jury and non-jury cases in the state and federal courts, including:

- Defense and prosecution of companies in business and commercial disputes;
- Representation of employers in litigation of labor, employment and civil rights claims by current or former employees;
- Representation of companies and business interests in binding arbitrations;
- Prosecution and defense of non-competition agreements, trade secrets and litigation arising out of defecting employees; and
- Representation of educational institutions in faculty, staff and student claims.

Civil Rights Litigation

Our firm defends organizations in claims involving violations of civil rights, including:

- All types of unlawful discrimination;
- Proceedings before federal, state and local equal employment agencies, as well as in the federal and state courts;
- Gender equity claims under Title IX, as well as sexual harassment and gender discrimination claims; and
- Claims under the Americans with Disabilities Act (ADA) and the Rehabilitation Act.

Employment Litigation

We represent employers in the defense of employment discrimination proceedings before federal, state and local equal employment agencies, as well as in the federal and state courts, including:

- Evaluation and litigation of claims arising out of disabilities, medical leaves and workplace injuries, including claims under the Americans with Disabilities Act (ADA) and the Family Medical Leave Act (FMLA);
- Wage and hour litigation under the Fair Labor Standards Act (FLSA); and
- Advice, counsel and litigation over employment contracts and Reductions in Force (RIF).



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Intellectual Property

We assist clients with many aspects of intellectual property protection, including trademarks, service marks, copyrights, trade secrets, domain name and internet issues, social media, licensing and related agreements.

- Trademarks – For many clients, branding is extremely valuable to the organization. We work diligently with clients to assist with all stages of brand management from developing brand strategies, selecting and clearing marks, obtaining federal and state registrations for marks, developing licenses and enforcing rights.
- Copyrights – We assist clients in the registration and licensing of copyrighted works. We advise clients with regard to copyright protection, infringement analysis, fair use, work for hire and the use of third-party works.
- Trade Secrets – We assist clients with the identification and protection of trade secrets. We help clients develop a trade secret protection plan, confidentiality agreements, employee agreements, workplace manuals and other policies relating to protecting and maintaining trade secret rights. We also advise clients on the enforcement of trade secret rights.
- Licensing – We prepare and negotiate agreements to manage rights in our clients' intellectual property, including licenses, assignments, sponsorship agreements, joint development agreements and research agreements.

Labor Relations Representing Management

Our firm represents management in all union-management matters that fall within the jurisdiction of the National Labor Relations Board (NLRB) and the National Mediation Board (NMB); under the National Labor Relations Act (NLRA); and before local and state agencies with jurisdiction over public sector employees and employers, including:

- Advice, counsel and litigation required to remain union-free
- Labor disputes and arbitrations



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Industry Experience

We have spent a great deal of time understanding the issues and nuances within the education and transportation sectors, and commit to the same level of dedicated understanding to any industry in which our clients operate.

Educational Institutions

We have extensive experience representing educational institutions and have in-depth knowledge of the unique issues that face these organizations, including:

- Governance matters, employment and tenure issues, academic freedom and student claims;
- Advice, counsel and litigation of claims arising out of disabilities and accommodations;
- Litigation of disputes between vendors and educational institutions;
- Gender equity claims under Title IX, as well as claims for gender discrimination or sexual harassment;
- Response to charges filed with the Department of Education's Office of Civil Rights;
- Student privacy issues, including matters related to the Family Educational Rights and Privacy Act (FERPA); and
- Issues concerning student and faculty discipline, studies abroad issues, and student and faculty immigration.

Transportation Providers

We represent transportation providers, trucking companies, maritime companies and intermodal providers, in all manners of labor, employment and related litigation and trial practice, including:

- Non-competition agreements, trade secrets, breach of fiduciary duty, breach of employee's duty of loyalty, and tortious interference;
- Whistleblower claims relating to surface transportation providers;
- Advice, counsel and litigation involving independent contractor versus employee characterization;
- Prosecution and defense of claims by or against current or former employees; and
- Labor disputes and arbitrations pursuant to a collective bargaining agreement.

Workplace Training

In addition to our advice, litigation and counsel efforts, we also offer customized workplace training and education on a variety of labor and employment regulations, for businesses large and small, including:

- Sexual harassment training for managers and employees;
- Non-discrimination and non-retaliation training for managers and employees; and
- Training of human resource professionals and other management employees in the proper response to and investigation of workplace complaints.



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Workers' Compensation

Our firm represents management throughout a variety of industries, insurance carriers and third-party administrators, in all aspects of workers' compensation defense throughout Florida. Our extensive labor and employment experience enables our firm to provide our clients with unique insight into the interplay between federal and state labor and employment laws and workers' compensation issues. We defend workers' compensation fraud charges, compensability disputes, medical causation disputes, and any other issues that may arise within the workers' compensation system. Some additional areas of representation include:

- Appeals
- Claim prevention
- Claims litigation
- Coverage issues
- Defense of uninsured employees
- Defense of workers' compensation claims
- Longshore and Harbor Workers' Compensation Act
- Stop-work orders and workers' compensation coverage compliance investigations
- Advice and counsel regarding risk management and best practices