Wage & Hour

Lane Powell’s Wage & Hour Team provides counseling, transactional and litigation services to companies faced with the ever changing federal, state and local laws governing minimum wage, overtime compensation, commissions, bonuses and incentive compensation, paid sick leave, pay equity and discrimination, wage theft, misclassification of independent contractors and other wage and hour topics.

Wage and Hour Compliance

Lane Powell advises employers how to comply with and limit exposure under federal, state and local laws and regulations governing minimum wage; misclassification of employees as exempt from overtime compensation; misclassification as independent contractors; calculation and payment of overtime compensation; improper deductions from paychecks; commissions, bonuses and incentive compensation; rest break and meal periods; pay equity; paid sick and safe leave; predictive scheduling; wage theft notices and other recordkeeping requirements, and compliance with prevailing wage laws such as the Davis Bacon Act, the Service Contract Act, and state prevailing wage laws. In addition, we draft employment policies and contracts addressing compensation, bonuses, commissions, leave, classification, severance, and other wage and hour topics.

Wage and Hour and Government Contractor Audits

Lane Powell helps our clients identify wage and hour compliance issues before they are subject to a government audit; and if our clients are audited, we represent them in audits and enforcement proceedings brought by government agencies, such as the U.S. Department of Labor, Alaska Department of Labor and Workforce Development; Oregon Bureau of Labor and Industries; Washington Department of Labor and Industries, and similar federal, state and local enforcement agencies, such as the Seattle Office of Labor Standards. In addition, we advise our clients who are government contractors with the many additional regulatory requirements imposed by federal statutes and regulations, and defend them in audits and litigation by government agencies such as the Office of Federal Contract Compliance Programs (“OFCCP”), the U.S. Department of Labor, and state and local agencies.

Defense of Individual and Collective Actions

Lane Powell defends litigation challenging virtually all aspects of employee compensation, whether alleged by an individual employee or on behalf of a class of employees. Our team has substantial experience defending class, collective, and representative action lawsuits, with an impressive roster of national clients (Nordstrom, Tyson Foods, Dreyers Grand Ice Cream, to name a few) in more than 100 class action lawsuits in the past 15 years, with dozens of those in the wage and hour arena.
Experience

**Lattin v. Worldpac, Inc.**
Case No. 2:10-cv-00603 | U.S. District Court, Western District of Washington
Defeated class certification on wage/hour claims.

**Abell, et al. v. Northwest Toys Co., et al.**
Wage and hour compliance.

**Alvarez, et al. v. IBP, Inc.**
Case No. CT-98-5005-RHW | U.S. District Court, Eastern District of Washington
Wage and Hour compliance.

**Alexander v. GMRI d/b/a Olive Garden Restaurants**
Spokane Superior Court
Successfully compelled arbitration of wage and hour claims and defeated petition for discretionary review.

**American Campus Communities Oregon Bureau of Labor and Industries Prevailing Wage Investigation**
Representing America Campus Communities in an investigation by the Wage and Hour Division of the Oregon Bureau of Labor and Industries (BOLI) concerning prevailing wages that were allegedly not paid to employees in connection with the construction of student residences on the campus of Southern Oregon University in Ashland, Oregon.

**Big Box Retailer Wage & Hour Class Action Lawsuit**
U.S. District Court, District of Oregon
Defended big box retailer in case alleging the company failed to timely pay associates at the time of the termination of their employment. A favorable settlement was achieved and approved by the court.

**Big Box Retailer Wage & Hour Class Action Lawsuit**
U.S. District Court, District of Alaska | Anchorage, Alaska
Represented big box retailer in four major wage and hour class action lawsuits pending in the states of Alaska, California and Oregon, as well as consumer-based class allegations under gift card and consumer protection laws in the state of Washington.

**Big Box Retailer Wage & Hour Class Action Lawsuit**
U.S. District Court, District of Oregon
Defended big box retailer in case alleging the company failed to timely pay associates at the time of the termination of their employment. A favorable settlement was achieved and approved by the court.

**Represented Large National Technology Solutions Company and Multiple Individual Defendants in Discrimination, Harassment, Retaliation and Wage and Hour Case**
California Superior Court, Los Angeles | California
Represented national technology solutions company and multiple individual defendants in national origin discrimination,
harassment, retaliation and wage and hour case in Los Angeles Superior Court; the individual defendants were voluntarily dismissed and after conducting discovery, the remaining claim was settled favorably for the company.

* Denotes experience at a previous firm

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