

Employment & Labor Litigation

The attorneys at Zausmer have a wealth of experience in both employment and labor matters.

Although the two practice areas are separate and distinct, it is not uncommon for labor matters to involve employment claims and vice versa. We're extremely familiar with proceedings before administrative agencies and labor arbitrators as well as litigation in state and federal trial courts, the Michigan Court of Appeals, Michigan Supreme Court, and U.S. Sixth Circuit Court of Appeals.

Our clients include municipalities, governmental authorities, schools, unions, public corporations, private companies, and insurers. Representation across such a broad spectrum of the public and private sectors requires a strong base of experience, knowledge, and skill. We assist at all levels of potential claims, and take pride in anticipating and addressing issues before they become problems, and resolving problems before they turn into litigation.

Clients count on us to be accessible and willing to work with them at every step in a variety of labor and employment matters, including:

- Grievances
- Arbitrations
- Contract negotiations
- Administrative actions before the Michigan Department of Civil Rights, the Equal Employment Opportunity Commission, the Michigan Employment Relations Commission, and the Michigan Employment Security Commission
- Defense against claims involving workplace harassment, hostile work environment and sexual harassment, wrongful discharge, and retaliation
- Defense against alleged violations of the Family & Medical Leave Act, Whistle Blowers Protection Act, Bullard-Plawecki Employee Right to Know Act, and Open Meetings Act
- Defense against discrimination actions premised upon race, gender, sexual orientation, religion, marital status, national origin, age, and disability (including claims brought under the Persons with Disabilities Civil Rights Act)

Employment and labor matters have the potential to spiral into extensive and extremely expensive litigated claims, and we pride ourselves on our economical yet aggressive approach. We begin each case with the end in mind, always focusing on both our clients' needs and attainment of the best possible outcome.



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Experience

Although some of our greatest victories have come from helping clients prevent and avoid litigation, we have also obtained a number of successful results in courtrooms and administrative forums.

McKay v SMART

The Caucasian plaintiff claimed that he was wrongfully denied promotions due to racial bias, and that he was retaliated against after he complained of discriminatory animus. Our defense of the claims involved detailed analysis of voluminous records related to the plaintiff and the multiple co-workers who were considered for the positions at issue. The plaintiff presented a six-figure settlement demand that was in line with the case evaluation, but at trial we successfully obtained a no-cause verdict in favor of the defendant before a Macomb County jury.

Jackson v Dorsey Business Schools

The African-American claimant filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) alleging that her termination was the result of race discrimination. We filed a detailed Position Statement with the EEOC that outlined the non-discriminatory policies and procedures of the school, and which provided a comprehensive analysis of the claimants work history and the legitimate business reasons that supported the decision to terminate her employment. The EEOC dismissed the charge of discrimination.

Hollifield v McDonald's Corporation

The pregnant claimant filed a charge of sex discrimination with the Michigan Department of Civil Rights (MDCR) alleging that she was disciplined and ultimately terminated due to her pregnancy. Our comprehensive defense was based on a meticulous analysis of the claimant's work history and medical release forms, and we were able to establish that one of the medical work release forms provided by the claimant was fabricated. We filed a Position Statement outlining the factual support for our conclusions and successfully obtained a dismissal of the charge.