



**SCHMOYER
REINHARD LLP**
Attorneys at Law

Our Capabilities

Counseling

Day-to-day employee issues often stray from the beaten path, and difficult issues can fester into costly business disruptions if not handled properly and promptly. Schmoyer Reinhard counsels a variety of employers on handling complex issues related to employee hiring, discipline, discharge, reduction in force, workforce diversity, discrimination, harassment, medical leave, labor relations, union avoidance, safety and health, retirement and health and welfare benefits, unemployment, and wage and hour issues, to name a few. Our attorneys also advise and guide employers on conducting and documenting proper investigations of employee complaints and misconduct. In addition, the firm stays up-to-date on the ever-changing landscape of employment law, enabling its attorneys to identify potential concerns that might otherwise go unnoticed.

Employment Agreements

Employment contracts, non-competes, separation agreements, and the like play a critical role in workforce planning. Our attorneys have extensive experience with the potential legal ramifications involved in utilizing and drafting executive and non-executive employment agreements, non-competition agreements, restrictive covenants, and separation agreements resulting from company hiring, workforce reductions, and mergers and acquisitions. Schmoyer Reinhard routinely reviews, revises, drafts, and counsels employers on such agreements and arrangements. In addition, when the need arises, our attorneys enforce such through communications, negotiations, or lawsuits as necessary.

Employment Litigation

When an employee inevitably brings a lawsuit or an administrative complaint, Schmoyer Reinhard will launch an aggressive, strategic, and well-informed defense. Our attorneys have a wealth of trial experience defending employers against all types of employment-related claims, including but not limited to claims arising under the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA), Title VII of the Civil Rights Act (Title VII), Employee Retirement Income Security Act (ERISA), and similar state and local laws. Our attorneys are well-versed in defending against claims of breach of contract, discrimination, retaliation (including workers' compensation retaliation), sexual harassment, class and collective actions, wrongful discharge, and wage and hour disputes. In addition to the firm's extensive trial experience, the firm is skilled in handling all forms of alternative dispute resolution, including arbitrations and mediations.



Governmental Audits and Compliance

With recent increases in enforcement budgets, employers may find themselves the target of governmental audits or investigations. These audits and investigations can cover a wide range of topics, including wage and hour issues under the Texas Payday Act or Fair Labor Standards Act (FLSA), affirmative action plans overseen by the Office of Federal Contract Compliance Program (OFCCP), and compliance with the Health Insurance Portability and Accountability Act (HIPPA), and the Uniformed Services Employment and Reemployment Rights Act (USERRA). Our attorneys at Schmoyer Reinhard are well versed in assisting and guiding employers through such audits and investigations.

Labor Issues and Union Avoidance

Labor unions and union organizing drives bring high costs and thorny issues of law and politics into an employer's workplace. When the threat of unionization arises, Schmoyer Reinhard draws on its extensive labor law experience to help employers mount legally compliant, aggressive, and effective counter-campaigns. For employers already unionized, our attorneys turn to their expertise in collective bargaining, avoiding and responding to unfair labor practices, and handling labor arbitrations as well as effective labor relations under the National Labor Relations Act (NLRA), Labor-Management Relations Act (LMRA), and similar state and federal labor laws.

Preventative Measures and Internal Investigations

The best strategy for avoiding employment-related lawsuits or administrative complaints is to strive for an issue-free workplace. In addition to the firm's litigation and counseling experience, Schmoyer Reinhard helps its clients endeavor to become issue-free through preventative measures such as employer training, compliance audits, drafting and revising employer handbooks and personnel policies, and conducting and advising on internal investigations. Our attorneys routinely present training sessions on all aspects of labor and employment law to human resources personnel, managers and supervisors, attorneys, and other company employees. The firm also regularly utilizes its array of attorney knowledge and resources to draft employee handbooks and policies that comply not only with the law, but with the real-world demands of the workplace.

Business Litigation

When disputes emerge in today's business world, companies face issues on a variety of fronts, including the threat of civil litigation. At Schmoyer Reinhard, we embrace such challenges because we recognize our value to clients is our deep experience and know-how in helping solve these issues. Whether clients need counseling, mediation, arbitration, or aggressive litigation, our knowledge, skills, and resources allow us to assist our clients in developing an appropriate plan of action. Our attorneys are experienced in trying cases involving general business litigation matters, including contract disputes, trade secret litigation, bankruptcy litigation, collections, and title insurance defense.



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Construction Litigation

Our construction litigation practice focuses on the representation of builders, owners, general contractors, subcontractors, and engineers on issues ranging from lien disputes and condemnation to construction defect claims. We work with experienced forensic experts to analyze problems that may arise in construction projects, including foundation and other structure failures, water intrusion, delay damages, and extra work claims. We provide day-to-day advice and counsel to parties involved in construction projects, with an eye towards resolving contract disputes without delaying work progress. Document production in construction litigation also can be a significant cost, but our experience enables us to narrow issues quickly to reduce the expense.

Appellate

Appeals and mandamus proceedings sometimes arise out of litigation involving businesses, construction disputes, and labor and employment matters. Schmoyer Reinhard guides clients through the appellate process, advises clients on post-judgment options and appellate strategy, and handles traditional appeals and mandamus proceedings in state and federal appellate courts. We also advise and guide clients through trials and dispositive motions with an eye toward preserving appellate issues to best situate our clients for success on appeal. Our attorneys have broad appellate experience and have served as staff attorneys at appellate courts.