

FEDERAL EMPLOYMENT LEGISLATION PROPOSED IN THE 111TH CONGRESS

Summarized As Of October 1, 2010

By D. Albert Brannen

This Summary provides an overview of selected federal labor and employment laws covering the private sector that have been proposed in the 111th Congress. It does not include healthcare, tax or immigration reforms, legislation proposed in prior sessions such as the Re-empowerment of Skilled and Professional Employees and Construction Tradeworkers (RESPECT) Act, the Equal Remedies Act or others, nor does it include proposed federal regulatory or state law changes.

These proposed laws are grouped by category and listed in the order in which they were introduced. This Summary is not intended to be, and should not be construed as, an exhaustive listing of these proposed laws or as legal advice for any specific factual situation.

To conserve space, we have only summarized these proposed laws. If you want more details or if you have any questions about this Summary, please feel free to contact the author at the address shown at the end of this Summary. More information can be found at www.govtrack.us or www.thomas.loc.gov.



EMPLOYEE RIGHTS & DISCRIMINATION

<p>Title VII Fairness Act S. 166 Introduced 1/7/09</p>	<p>Would amend the ADA and Title VII to delay start of time period for filing charges of employment discrimination until aggrieved person has, or should be expected to have, enough information to support reasonable suspicion of discrimination</p>
<p>Arbitration Fairness Act of 2009 H.R. 1020 Introduced 2/12/09</p>	<p>Would provide that:</p> <ul style="list-style-type: none"> ▪ no pre-dispute arbitration agreement will be valid or enforceable if it requires arbitration of: (1) an employment, consumer or franchise dispute, or (2) a dispute arising under any statute intended to protect civil rights ▪ the validity or enforceability of an arbitration agreement would be determined by court, under federal law, rather than an arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing the agreement
<p>Working Families Flexibility Act (so-called "Union of One" law) H.R. 1274 S. 3840 Introduced 3/3/09 & 9/24/10</p>	<p>Would authorize an employee to request from an employer a change in the terms or conditions of the employee's employment if the request relates to: (1) the number of hours the employee is required to work; (2) the times when the employee is required to work; or (3) where the employee is required to work. Would impose obligations on employers to confer with the employee, to provide relevant information and for substantial penalties for non-compliance</p>
<p>Common Sense English Act H.R. 1588 Introduced 3/18/09</p>	<p>Would revise Title VII of the Civil Rights Act to provide that it shall not be an unlawful employment practice for an employer to require employees to speak English while engaged in work</p>
<p>Alert Laid Off Employees In Reasonable Time Act H.R. 2077 Introduced 4/23/09</p>	<p>Would amend WARN to require notifications under the Act for mass layoffs that occur at more than one site of employment during any 30-day period and increases penalties for violation of the Act</p>
<p>Domestic Partnership Benefits and Obligations Act of 2009 H.R. 2517 S. 1102 Introduced 5/20/09</p>	<p>Would extend key spousal benefits to the same-sex domestic partners of current and former federal employees. Excludes members of the uniformed services from the definition of "employee." Requirements for filing include:</p> <ul style="list-style-type: none"> ▪ an affidavit of eligibility which shall include a certification that the employee and domestic partner are each other's sole domestic partners and intend to remain so indefinitely; ▪ a statement upon dissolution of such a domestic partnership
<p>Employee Non-discrimination Act of 2009 (ENDA) H.R. 2981 S. 1584 Introduced 6/19/09</p>	<p>Would prohibit employment discrimination on the basis of sexual orientation or gender identity</p>

EMPLOYEE RIGHTS & DISCRIMINATION (cont'd)

<p>Federal Oversight Reform and Enforcement of the WARN Act (FOREWARN)</p> <p>H.R. 3042 Introduced 6/25/09</p>	<p>Would amend the WARN Act by:</p> <ul style="list-style-type: none"> ▪ re-defining the definition of “employer” to any business that employs 75 or more employees ▪ re-defining the definition of “plant closing” to include the employment loss of 25 or more employees during any 30-day period ▪ re-defining the definition of “mass layoff” to include the employment loss of 25 or more employees during any 30-day period ▪ increasing the “Notice Period” to 90 days ▪ adding a provision that “Notice” shall be excused in the event of a “terrorist attack” ▪ modifying the language required on the “Notice” ▪ increasing penalties to \$500 for <i>each separate offense</i>
<p>Equal Employment for All Act</p> <p>H.R. 3149 Introduced 7/9/09</p>	<p>Would amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees as a factor in making adverse employment decisions. Exceptions would allow them to be used if the job involves national security, FDIC clearance, or positions of “significant financial responsibility,” such as bank manager, loan officer or financial manager. The bill would also prohibit employers from asking applicants to submit to voluntary credit checks</p>
<p>Non-Federal Whistleblower Protection Act of 2009</p> <p>S. 1745 Introduced 10/1/09</p>	<p>Would expand whistleblower protections to non-federal employees by:</p> <ul style="list-style-type: none"> ▪ providing time limitations for review of claims of retaliation ▪ giving access to jury trials ▪ ensuring coverage for disclosures made to a whistleblower’s management ▪ protecting disclosures of contractors’ violation of law, rule or regulation ▪ covering “abuse of authority” by contract managers ▪ establishing the burden of proof in whistleblower cases ▪ giving whistleblowers the right to view an IG’s investigative file ▪ protecting employees against conditions of employment that eliminate their whistleblower rights
<p>Protecting Older Workers Against Discrimination Act</p> <p>S. 1756 Introduced 10/6/09</p>	<p>Would amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof to ensure that the standard for proving unlawful disparate treatment under that law and other anti-discrimination and anti-retaliation laws is no different than the standard for making such a proof under Title VII of the Civil Rights Act</p>
<p>Family and Independent Business Protection Act of 2010</p> <p>H.R. 5176 Introduced 4/29/10</p>	<p>Would amend National Labor Relations Act to prohibit states and territories from classifying self-employed individuals as employees under state collective bargaining laws.</p>
<p>OTHER</p>	<p>Military Readiness Enhancement Act of 2009, H.R. 1283 Volunteer Firefighter and EMS Personnel Job Protection Act, S. 1025 Wounded Veteran Job Security Act, H.R. 466 Employ America Act, S. 2804 Lifetime Income Disclosure Act, S. 2832 Protecting Employees and Retirees in Business Bankruptcies Act of 2010, S. 3033 Military Readiness Enhancement Act of 2010, S. 3065 Energy Jobs for Veterans Act, H.R. 4592</p>

LEAVE

<p>Family and Medical Leave Enhancement Act of 2009</p> <p>H.R. 824 Introduced 2/3/09</p>	<p>Would amend FMLA to:</p> <ul style="list-style-type: none"> ▪ cover employees at worksites employing more than 25 employees ▪ allow employees to take parental involvement leave to participate in or attend children's and grandchildren's educational and extra-curricular activities ▪ clarify that leave may be taken for routine family medical needs, to assist elderly relatives, and other purposes ▪ allow employees to elect, or employers to require, substitution of any paid or family leave or paid medical or sick leave of employee for any FMLA leave ▪ impose certain notification requirements on employees requesting leave
<p>Family Leave Insurance Act of 2009</p> <p>H.R. 1723 Introduced 3/25/09</p>	<p>Would establish a Family and Medical Insurance Program, mandatory for certain covered employers, which would</p> <ul style="list-style-type: none"> ▪ entitle eligible employees to benefits that include a percentage of their daily earnings for 12 work weeks of leave under FMLA during any 12-month period ▪ authorize any employer to establish a voluntary plan meeting specified criteria ▪ specify prohibited acts and penalties for violations
<p>Healthy Families Act</p> <p>H.R. 2460 Introduced 5/18/09</p>	<p>Would allow employees to earn one hour of paid sick leave for every 30 hours worked to address their own health needs and health needs of their families. Employees would begin accruing sick leave when employed and may begin using leave after 60 days. Employer coverage would be phased in over time, but the law would eventually cover employers with 25 or more employees.</p>
<p>Paid Vacation Act of 2009</p> <p>H.R. 2564 Introduced 5/21/09</p>	<p>Would amend FLSA to require employers to provide a minimum of 1 week paid annual leave to employees</p>
<p>Balancing Act of 2009</p> <p>H.R. 3047 Introduced 6/25/09</p>	<p>Would amend and expand FMLA to provide for, among other things:</p> <ul style="list-style-type: none"> ▪ coverage of employers with 15 or more employees ▪ 12 weeks of paid leave for all workers to care for a family member, bond with a new child, recover from a serious illness or deal with an exigency arising from the deployment of a relative member of the military [similar to H.R. 1723] ▪ creation of a Family and Medical Leave Insurance Fund funded by employers and employees each paying premiums equivalent to 0.2% of each worker's earnings. Employers with fewer than 20 employees would only pay a 0.1% premium ▪ up to 7 days of paid sick leave per year on an accrual basis. Employees would earn one hour of paid sick leave for every 30 hours worked to a maximum of 56 hours (7 days) [this is similar to H.R. 2460] ▪ allow employees to take "parental involvement" leave to participate in their children's and grandchildren's educational and extracurricular activities and "family wellness" leave to allow employees to take family members to regular medical appointments and to assist elderly relatives [similar to H.R. 824] ▪ protections for workers to address issues related to domestic violence or sexual assault of either themselves or family members [this is similar to H.R. 739] ▪ permit care for a domestic partner, child of a domestic partner, same-sex spouse, parent-in-law, adult child, sibling or grandparent if that person has a serious health condition [similar to H.R. 2132] ▪ create a program to raise awareness about telecommuting

LEAVE (cont'd)

OTHER	<p>Family Fairness Act of 2009, H.R. 389 Security and Financial Empowerment Act (SAFE), H.R. 739 FMLA Inclusion Act, H.R. 2132 Family and Medical Leave Restoration Act, H.R. 2161 Domestic Violence Leave Act, H. R. 2515 Living Organ Donor Job Security Act, H.R. 2776 Emergency Influenza Containment Act, H.R. 3991</p>
-------	--

LABOR

<p>Employee Free Choice Act (EFCA)</p> <p>H.R. 1409 S. 560 Introduced 3/10/09</p>	<p>Would amend the NLRA to provide for</p> <ul style="list-style-type: none"> ▪ “card check,” which could practically eliminate secret-ballot elections ▪ union-friendly bargaining rules with specific timetables ▪ increased penalties against employers ▪ more NLRB injunctions
<p>Patriot Corporations of America Act of 2009</p> <p>H.R. 1874 Introduced 4/2/09</p>	<p>Would provide federal contracting preferences for, and a reduction in the rate of income tax imposed on, “Patriot” corporations. Among other requirements, employers would have to waive their Section 8(c) free speech rights and not oppose unionization of their employees to be labeled a “patriot” employer</p> <p>[This proposal is similar to the Patriot Employers Act, S. 829]</p>
<p>Keep Americans Working</p> <p>S. 1646 Introduced 8/7/09</p>	<p>Would strengthen and expand short-time compensation programs to provide employers with alternatives to layoffs by awarding start-up grants to state agencies in states that have enacted programs and meet certain requirements. Amends Internal Revenue Code to provide a detailed definition of “short-time compensation program.”</p>
<p>Employee Misclassification Prevention Act</p> <p>H.R. 5107 Introduced 4/22/10</p>	<p>Would amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees.</p>
<p>Fair Playing Field Act of 2010</p> <p>S. 3786 Introduced 9/15/10</p>	<p>Would amend the Internal Revenue Code of 1986 to eliminate the ability of employers to qualify for reduced penalties for failure to deduct and withhold income taxes and the employee’s share of payroll taxes if they cannot show there was a reasonable basis for misclassifying the employee.</p>
OTHER	<p>Labor Relations First Contract Negotiations Act of 2009, H.R. 243 Secret Ballot Protection Act, H.R. 1176, S. 478 National Labor Relations Modernization Act, H.R. 1355 Freedom From Union Violence Act of 2009, H.R. 2537 Rewarding Achievement & Incentivizing Successful Employees Act (RAISE), H.R. 2732, S. 1184 Truth in Employment Act of 2009, H.R. 2808 Hiring Act of 2010, H.R. 4437</p>

FISHER & PHILLIPS LLP
ATTORNEYS AT LAW
Solutions at Work[®]

WAGES & BENEFITS	
<p>Defined Contribution Fee Disclosure Act of 2009</p> <p>S. 401 Introduced 2/9/09</p>	<p>Would amend ERISA to prohibit the administrator of an individual account plan that includes the qualified cash or deferred arrangement from contracting for services to the plan, unless administrator has received a written statement in advance describing services to be provided, identifying any other entity performing such services, providing expected total annual service charges allocated among specified components, and disclosing financial relationships with, or free or discounted services provided by, other parties</p>
<p>Family-Friendly Workplace Act</p> <p>H.R. 933 Introduced 2/10/09</p>	<p>Would amend FLSA to:</p> <ul style="list-style-type: none"> ▪ authorize private employers to provide compensatory time off to employees if in accordance with a collective bargaining agreement or, in absence of such agreement, an agreement between the employer and employee ▪ prohibit any employee from accruing more than 160 hours comp time ▪ require employer to provide monetary compensation after end of calendar year for any unused comp time accrued during preceding year
<p>Fair Pay Act of 2009</p> <p>H.R. 2151 S. 904 Introduced 4/28/09</p>	<p>Would amend FLSA to prohibit discrimination in the payment of wages on account of sex, race or national origin. Would allow payment of different wages under seniority system, merit systems, systems that increase earnings based on quantity or quality of production or differentiates based on bona fide factors the employer proves are job-related or further legitimate business interests. Would prohibit discrimination against or discharge of an individual for opposing any act or practice made unlawful by the Act or for assisting in an investigation or proceeding under the Act</p>
<p>Excess Pay Shareholder Approval Act</p> <p>S. 1006 Introduced 5/7/09</p>	<p>Would require a super majority (60%) shareholder vote to approve excessive compensation of any employee of a publicly-traded company. "Excessive" compensation would be defined as being more than 100 times the average pay of all company employees. Would also require proxy materials to include information about the Company's pay practices (lowest wages paid, average pay for all employees, number of persons paid more than 100 times the average pay and total amount paid to those earning more than 100 times the average pay rate)</p>
<p>Executive Pay Capped Deduction Act of 2009</p> <p>S. 1007 Introduced 5/7/09</p>	<p>Would prohibit employers from deducting pay considered to be excessive compensation. Would use a similar definition for "excessive" as proposed in the Excessive Pay Shareholder Approval Act. Would also require reporting information about wages and pay practices to the Secretary of the Treasury</p>
<p>Living American Wage (LAW) Act of 2009</p> <p>H.R. 3041 Introduced 6/25/09</p>	<p>Would amend FLSA to provide for the calculation of the minimum wage based on the federal poverty threshold for a family of 2, as determined by the Census Bureau</p>
<p>Children's Act for Responsible Employment (CARE) Act of 2009</p> <p>H.R. 3564</p>	<p>Would:</p> <ul style="list-style-type: none"> ▪ amend FLSA to repeal certain exemptions from child labor prohibitions for agricultural employment with respect to any employee under 18 employed in agriculture unless employed by parent or person standing in place of a parent on farm owned or operated by such parent or person ▪ increase civil penalties for child labor violations ▪ establish criminal penalties for child labor violations ▪ require employers to report on work-related serious injuries, illnesses or deaths of agricultural employees under age 18

WAGES & BENEFITS (cont'd)

<p>Employer-Owned Life Insurance Limitation Act</p> <p>H.R. 3669 Introduced 9/29/09</p>	<p>Would make it unlawful for:</p> <ul style="list-style-type: none"> ▪ any employer to carry an employer-owned life insurance policy on any employee whose salary is less than \$1 million per year ▪ any employer to carry an employer-owned life insurance policy not prohibited by this Act for an employee (earning \$1 million or more per year) more than 30 days after that employee terminates employment with the employer
<p>Jobs Momentum Act of 2010</p> <p>H.R. 4680 Introduced 2/24/10</p>	<p>Would reduce the employer portion of payroll taxes in the case of employers who expand payroll in 2010 and 2011</p>
<p>Unemployment Insurance Extension Act of 2010</p> <p>H.R. 4707 Introduced 2/25/10</p>	<p>Would extend the emergency unemployment compensation program through the end of fiscal year 2010</p>
<p>Paycheck Fairness Act</p> <p>S. 3772 Introduced 9/13/10 (See also H.R. 12 and S. 182, previously introduced)</p>	<p>Would amend Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex by:</p> <ul style="list-style-type: none"> ▪ adding non-retaliation requirements and increasing penalties ▪ requiring employer seeking to justify unequal pay to prove that its actions are job-related and consistent with business necessity ▪ prohibiting employers from retaliating against employees who share salary information with co-workers.
<p>OTHER</p>	<p>Health Care Incentive Act, H.R. 77 Pension Security Act of 2009, H.R. 712 Family Income to Respond to Significant Transitions Act, H.R. 2399 WAGES Act, H.R. 2570 Adult Education and Economic Growth Act of 2009, H.R. 3238, S. 468 The Corporate and Financial Institution Compensation Fairness Act, H.R. 3269 Amend FLSA of 1938 to Postpone Increase in Minimum Wage for 1 Year, H.R. 3309 Wage Theft Prevention Act, H.R. 3303 Taxpayer Responsibility, Accountability and Consistency Act of 2009, H.R. 3408 Pension Benefit Guaranty Corporation Governance Improvement Act of 2009, S. 1544 Preserve Benefits and Jobs Act of 2009, H.R. 3936 Back to Work Act of 2010 Corporate Executive Accountability Act of 2010, S. 3049 Helping Unemployed Workers Act, S. 2831 Wall Street Compensation Reform Act of 2010, S. 3149</p>

FISHER & PHILLIPS LLP
 ATTORNEYS AT LAW
Solutions at Work®

SAFETY & HEALTH (OSHA)

<p>Worker Protection Against Combustible Dust Explosions and Fires Act of 2009</p> <p>H.R. 849 Introduced 2/4/09</p>	<p>Would provide additional occupational safety and health standards regarding worker exposure to combustible dust . Would be applicable to manufacturing, processing, blending, conveying, repackaging, and handling of combustible particulate solids and their dusts</p>
<p>Protecting America's Workers Act</p> <p>H.R. 2067 Introduced 4/23/09</p>	<p>Would amend OSH Act of 1970 to:</p> <ul style="list-style-type: none"> ▪ cover more employees and allow felony prosecutions against employers who commit willful violations that result in death or serious bodily injury ▪ expand victims' rights ▪ expand employee and union rights ▪ prohibit "unclassified" violations increase civil/criminal penalties and expand whistleblower protections
<p>Corporate Injury Illness and Fatality Reporting Act of 2009</p> <p>H.R. 2113 Introduced 4/27/09</p>	<p>Would impose additional reporting requirements on employers with more than one establishment and more than 500 employees regarding work-related deaths, injuries, and illnesses</p>
<p>Protecting Workers From Imminent Dangers Act of 2009</p> <p>H.R. 2199 Introduced 4/30/09</p>	<p>Would amend the OSH Act to require the DOL to:</p> <ul style="list-style-type: none"> ▪ inform employers and employees and their representatives when a condition or practice in a place of employment is such that an imminent danger to safety or health exists that could reasonably be expected to cause death, serious physical harm, or permanent impairment of the health or functional capacity of employees if not corrected immediately or before danger can be eliminated through prescribed enforcement procedures ▪ request that the condition or practice be corrected immediately or that employees be immediately removed from exposure to such danger <p>Would prohibit persons from discharging or discriminating against an employee for the refusal to perform a duty that has been identified by an order as the source of an imminent danger</p>
<p>Robert C. Byrd Miner Safety and Health Act of 2010</p> <p>H.R. 5663 Introduced 7/1/10</p>	<p>Would amend Federal Mine Safety & Health Act of 1977 by:</p> <ul style="list-style-type: none"> ▪ setting clear criteria to identify problem mines ▪ giving miners new whistleblower and anti-retaliation protections ▪ raising the liability and penalty thresholds for operators ▪ increasing the authority of federal regulators to shut down unsafe or noncompliant mines
<p>OTHER</p>	<p>Nurse and Health Care Worker Protection Act, H.R. 2381 Worker Infection Protection Act, S. 1299 Alexander L. Booker Child Protection Construction Site Safety Act, H.R. 3094 Pandemic Protection for Workers, Families and Business Act, H.R. 4092 Ensuring Worker Safety Act, H.R. 4864</p>

FISHER & PHILLIPS LLP
ATTORNEYS AT LAW
Solutions at Work[®]

Fisher & Phillips LLP represents employers nationally in labor, employment, civil rights, employee benefits and immigration matters. The firm has more than 225 attorneys in 23 offices across the United States. Founded in 1943, it is one of the largest law firms in the country to concentrate its practice exclusively upon representation of employers in labor and employment matters.

The firm's practice includes counseling and defending employers under all major federal and state labor, employment, and employee benefits laws and regulations including, among others: The Age Discrimination in Employment Act (ADEA); The Americans With Disabilities Act (ADA); The Civil Rights Acts of 1866, 1964 and 1991; The Consolidated Omnibus Reconciliation Act (COBRA); The Employee Polygraph Protection Act (EPPA); The Employee Retirement Income Security Act (ERISA); The Equal Pay Act (EPA); The Fair Credit Reporting Act (FCRA); The Fair Labor Standards Act (FLSA); The Family and Medical Leave Act (FMLA); The Immigration Reform and Control Act (IRCA); The National Labor Relations Act (NLRA); the Occupational Safety and Health Act (OSHA), and The Worker Adjustment and Retraining Notification Act (WARN).

Our lawyers are admitted in 37 states and practice in federal and state courts throughout the United States. In addition to representing employers in litigation, we also represent employers in federal, state and local administrative proceedings, mediation and arbitration, collective bargaining and administration of collective bargaining agreements, and informally in resolving threatened claims prior to the initiation of formal proceedings.

As a result of our representation of employers in litigation and formal claims proceedings, we have acquired considerable expertise in developing and implementing policies, practices, and procedures to help employers minimize or avoid the occurrence of employment-related claims, the risk of liability from such claims, or other forces that may interfere with employer rights. With the changes that will be discussed in today's session, these preventive services are more important than ever.

What distinguishes us from many other law firms is our businesslike approach to solving our clients' labor- and employment-related legal problems. Although our attorneys are skilled advocates who are experienced in successfully trying cases and arguing appeals, we recognize that the most aggressive and expensive litigation strategy may not always be the best solution to a client's problem. We also recognize that most clients prefer to control expenses. In every matter we handle, we seek to identify the client's primary business objective, design a solution to fit that objective, and implement that solution in the most efficient manner possible.

You can learn more about the firm and access a wide range of free resources at www.laborlawyers.com.

FISHER & PHILLIPS LLP
ATTORNEYS AT LAW
Solutions at Work[®]



D. ALBERT BRANNEN is currently a partner and team manager in the Atlanta office of Fisher & Phillips LLP.

Bert received his B.S. with honors from Georgia Tech and his MBA and J.D. *cum laude* from the University of Georgia. Bert is admitted to practice before all of the state and federal courts in Georgia and the United States Supreme Court. He has successfully represented clients in proceedings before the NLRB, EEOC, Department of Labor and other Government agencies, as well.

Throughout his career, Bert has only represented employers in solving their labor and employment law problems. His specialty is advising employers how to stay union-free and in assisting employers with the administration, negotiation, mediation and arbitration of collective bargaining agreements. Much of his time is devoted to counseling employers about how to avoid workplace crises, comply with applicable laws and prevent litigation. He helps prepare all documents associated with the employment experience, including employee handbooks, employment contracts, ethics and confidentiality agreements, and non-compete, non-solicitation and severance agreements.

Bert has written numerous articles on a wide variety of labor employment law subjects. He recently appeared in *The Atlanta Journal & Constitution* and wrote the feature article for *Bloomberg Law Reports' Labor & Employment Law Page*. He frequently speaks to chambers of commerce, business and professional associations, industry groups and individual employers.

Bert has been selected by his peers as one of *The Best Lawyers in America* and has repeatedly been named a "Super Lawyer for Labor & Employment Law" for the State of Georgia. He was also recently selected as one of *Georgia Trend Magazine's* "Legal Elite for 2009."

He is the immediate past Chairman of the Labor and Employment Law Section of the State Bar of Georgia and is a member of the Editorial Advisory Board of Employment Law360. He also serves on the Board of Directors of the Georgia Branch – Associated General Contractors. He is a member of the Human Resources Leadership Foundation, the Society of Human Resources Management, the Labor & Employment Law Council of the Associated General Contractors, the Electric Cooperative Bar Association, the Georgia Tech Bar Association, the Georgia Industry Association and other groups.

He has taught labor and employment law as an associate professor at Georgia Tech since 2002.

His recent pro bono activities include work for the Good Samaritan Health Center.

D. Albert Brannen
Fisher & Phillips LLP
1500 Resurgens Plaza
945 East Paces Ferry Road
Atlanta, GA 30326-1125

404.240.4235
Fax : 404-240-4249
dabrannen@laborlawyers.com

FISHER & PHILLIPS LLP
ATTORNEYS AT LAW
Solutions at Work[®]

<p>Atlanta 1500 Resurgens Plaza 945 East Paces Ferry Road Atlanta, GA 30326 (404) 231-1400</p>	<p>Irvine Suite 1000 2050 Maine Street Irvine, CA 92614 (949) 851-2424</p>	<p>Phoenix Suite 1450 201 East Washington Street Phoenix, AZ 85004 (602) 281-3401</p>
<p>Charlotte Suite 2020 227 West Trade Street Charlotte, NC 28202 (704) 334-4565</p>	<p>Kansas City Suite 400 104 West 9th Street Kansas City, MO 64105 (816) 842-8770</p>	<p>Portland ME 4th Floor 400 Congress Street Portland, ME 04101 (207) 774-6001</p>
<p>Chicago 1000 Marquette Building 140 South Dearborn Street Chicago, IL 60603 (312) 346-8061</p>	<p>Las Vegas Suite 950 3800 Howard Hughes Parkway Las Vegas, NV 89169 (702) 252-3131</p>	<p>Portland OR Suite 1250 111 SW Fifth Avenue Portland, OR 97204 (503) 242-4262</p>
<p>Columbia Suite 1400 1901 Main Street Columbia, SC 29201 (803) 255-0000</p>	<p>Louisville Suite 2000 220 West Main Street Louisville, KY 40202 (502) 561-3990</p>	<p>San Diego Suite 1000 4747 Executive Drive San Diego, CA 92121 (858) 597-9600</p>
<p>Dallas Suite 4343 Thanksgiving Tower 1601 Elm Street Dallas, TX 75201 (214) 220-9100</p>	<p>New Jersey 430 Mountain Avenue Murray Hill, NJ 07974 (908) 516-1050</p>	<p>San Francisco Suite 2340 One Embarcadero Center San Francisco, CA 94111 (415) 490-9000</p>
<p>Denver Suite 3300 1999 Broadway Denver, CO 80202 (303) 218-3650</p>	<p>New Orleans Suite 3710 201 St. Charles Avenue New Orleans, LA 70170 (504) 522-3303</p>	<p>Tampa Suite 2300 SunTrust Financial Centre 401 E. Jackson Street Tampa, FL 33602 (813) 769-7500</p>
<p>Fort Lauderdale Suite 800 450 East Las Olas Boulevard Fort Lauderdale, FL 33301 (954) 525-4800</p>	<p>Orlando 1250 Lincoln Plaza 300 South Orange Avenue Orlando, FL 32801 (407) 541-0888</p>	<p>Washington, DC 1875 I Street NW, Suite 500 Washington, DC 20006 (202) 429-3707</p>
<p>Houston Suite 620 Two Allen Center 1200 Smith Street Houston, TX 77002 (713) 292-0150</p>	<p>Philadelphia Radnor Financial Center Suite 650 201 King of Prussia Road Radnor, PA 19087 (610) 230-2150</p>	