

INDUSTRY Healthcare

Employers in the healthcare field were uniquely prepared to deal with the challenges of a global pandemic when it began, as they have long needed to provide safe work environments in high-stress settings. Although this pandemic may dissolve, the industry will experience aftershocks that may be felt for years to come, and healthcare employers will need to continue to stay vigilant. Your organizations remain among the most frequent targets for government inspections and investigations, court actions, and union organizing drives. Since the outset of the pandemic, your industry has borne the brunt of the next wave of workplace-related actions. On top of the CMS vaccination mandates that are currently in place, we expect OSHA to issue more rules, such as a new infectious disease standard, which may be applicable to healthcare and other settings.



Your organizations have been identified as among the most vulnerable targets for government inspections and investigations, court actions, and union organizing drives. From the outset of the pandemic through today, your industry has borne the brunt of the next wave of workplace-related actions. The time is now to reexamine the employment equation in your workplace, so you can ensure you are in the best position to offer a safe and productive work environment for your employees while also maximizing your legal compliance efforts.

Whether you are a large-scale healthcare organization with operations across the country, a multi-unit nursing care facility, a physician practice group, a diagnostic center, a hospice, or a standalone medical center or hospital, you need to partner with trusted legal advisors who are not only in your corner when it comes to legal matters, but also understand your business. The attorneys in the Fisher Phillips Healthcare Industry Team are uniquely positioned to support and stand alongside you. With a knack for displaying uncommon business sense and a long history of working with a wide array of healthcare organizations, our attorneys can help with any aspect of your workplace law needs.

How We Can Help:

 **You just received a whistleblower or retaliation complaint and are unsure how to proceed.**

We have a deep history in defending such actions, whether the alleged whistleblowing is based on activity purportedly related to billing, patient or resident care, workplace safety, requests for accommodations, or harassment. We will help ensure a thorough investigation is completed to determine the best course of action. We will guide you through your options and make sure you understand the risks associated with all potential moves and will steer you down the best possible path based on your business needs. And if that path involves litigation, our attorneys will zealously defend your organization with the attention you deserve.



You have received a demand letter from an attorney alleging a variety of wage and hour violations, including alleged failure to pay for overtime due to time spent donning and doffing scrubs or PPE, improper classification of an exempt employee and off-the-clock claims.

Many of our attorneys are also members of our Wage and Hour Law Practice Group and stand ready to use their experience in that area to assist our healthcare clients. The defense of wage and hour claims can be tricky and requires immediate decisions be made at the outset of the matter that could have long-lasting implications. Moreover, claims that are not handled properly in the first few days after a demand letter are received can balloon in cost and financial exposure. We pride ourselves in ensuring you understand all the nuances involved in this often-complex field and provide clear and direct advice about the best ways to proceed.



Despite your best efforts to assure your workforce that you have created the safest possible working environment, some of your employees have begun to complain about alleged unsafe conditions.

There is a fine line between employee complaints that you can allay with a simple conversation and those that lead to potential protected concerted activity issues. Handling these kinds of situations in a hasty manner could lead to a variety of legal problems – and could also result in an unwanted organizing drive. We can assist in providing a thoughtful and deliberate approach to such concerns, helping you take a step back to examine your safety practices, your employee engagement efforts, and your communication techniques, so that you properly – and legally – convey your commitment to the best possible work environment for all of your employees.

With almost 600 attorneys in 41 offices across the United States and Mexico, Fisher Phillips is an international labor and employment firm providing practical business solutions for employers' workplace legal problems. We regularly advise and counsel clients on issues surrounding wage and hour, employment discrimination and harassment, litigation, workplace safety, immigration, trade secrets and non-competes, and more.

