



## Manufacturing

### *Overview*

**Globalization – and related decisions around offshoring, nearshoring or reshoring operations – combined with an aging workforce, automation, artificial intelligence and the looming threat of cyberattacks have vastly complicated the employment equation for manufacturers. Unforeseen global events accelerated many of these issues, disrupted production and exposed supply chain issues. The world won't slow down just so you can catch up— you need forward-looking attorneys to help retain a qualified workforce, create sound strategic plans to remain competitive in the marketplace, and comply with applicable laws in the places you do business.**

With a keen understanding of the modern business landscape and your unique place within it, our multidisciplinary Manufacturing Industry Team can help you navigate challenges while foreseeing and maximizing opportunities. Our attorneys have both deep subject matter knowledge in key areas of employment law and practical experience working on-site with manufacturing clients.

We provide top-flight service, including a commitment to efficiency and the utmost responsiveness. We can help you scale up, throttle back, and increase safety and efficiency in your workforce so you can keep on innovating and delivering value to your customers.

### **WORKPLACE SAFETY**

You must be vigilant to satisfy a vast patchwork of legal requirements and provide your team with a safe working environment. Working with our [Workplace Safety and Catastrophe Management team](#), we can help you set up and maintain compliance protocols to avoid problems, including offering training, implementing safety plans, and developing risk management systems. If the government comes calling, we can help with inspections and investigations. If you receive an allegation of health, safety, or whistleblower law violations, we can defend any administrative proceedings or federal and

state court litigation. And, if an accident or catastrophic event does occur, we'll be by your side every step of the way.

## **WAGE AND HOUR LAW**

Our lawyers work with our Wage and Hour Law Team to help clients comply with federal and state wage and hour laws and properly classify workers. We'll work with you up front to avoid problems from ever cropping up and defend in governmental investigations and audits, as well as in wage-and-hour lawsuits in courts and administrative agencies across the country. Whether you're facing a single-plaintiff lawsuit or a complex class and collective action lawsuit, we can assist.

## **LABOR RELATIONS**

Working with our Labor Relations Team, we help clients maintain a positive workplace environment and develop winning strategies in response to organizing campaigns. We negotiate non-disruptive collective bargaining agreements that afford you maximum discretion, assist with strike preparations and employer rights during lockouts and labor stoppages and help navigate high-stakes union decertification campaigns. We're experienced in defending labor conflicts in any venue, including defending interest arbitrations, grievance proceedings, and unfair labor practices charges.

## **IMMIGRATION**

Our Immigration Team can help you hire skilled workers from abroad with the right skill sets to fill important positions. We routinely guide manufacturing employers in programs for hiring temporary (nonimmigrant) workers (e.g., H-1B, H-1B1, E-3 visas) and permanent labor certifications (PERMs) for foreign workers. We also help manufacturers obtain transfer visas, defend against immigration discrimination claims, and conduct internal audits.

## **AI IN THE WORKPLACE**

Manufacturers are seeing the ways AI can help improve efficiency, enhance product design, reduce costs, and assist in strategic planning, among many other things. Whether employing AI in production or non-production capacities, high-tech manufacturers must make sure they have the right people in charge of the technology and be wary of missteps in implementation and cybersecurity. Our attorneys are at the forefront of the intersection of AI and employment law and prepared to help you foresee and address key issues.

## **MANAGING WORKPLACE ACCOMMODATIONS**

An aging workforce, changing production techniques, repetitive motion, and the strenuous nature of manufacturing work itself add up to mean you must always be ready to adjust duties and/or work environments to help employees do their jobs. You must be prepared to objectively assess your workplace; devise strategies to reduce the potential for work loss, employee injury and litigation; and engage with employees to effectively address issues as they arise. With deep experience in navigating these situations across the U.S., our team will work with you to achieve the best possible outcomes.

## CORPORATE REORGANIZATIONS

When scaling operations up or down, you'll face complex legal issues that demand close attention to compliance mandates at the local, state and national levels. We have deep experience advising manufacturers on openings and expansions, closings and contractions, including reductions in force (RIFs), layoffs and compliance with the Worker Adjustment and Retraining Notification Act (WARN) and similar state statutes. We can help implement any necessary corporate reorganization to avoid discrimination and "reverse discrimination" claims, severance pay problems, and other compliance challenges. Working with you, we can help prevent legal proceedings and ensure you are well-positioned to defend your actions if one does arise.

### *Insights*

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Amy L. Kullik

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John M. Polson, Nan Sato, Adam F. Sloustcher, Emily P. Harbison

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Courtney Leyes

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Colin P. Calvert, Shanon R. Stevenson, David S. Jones

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Sheila M. Abron, Michael D. Carrouth

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## ***Resources***

- [Employers' Rapid Response Team for DHS Raids](#)