



# Retail

## *Overview*

**Retailers come in all shapes and sizes – from single-site boutiques to massive multistate warehouse clubs. Despite their differences, there is no question employees play an outsized role in a retailer’s success. From quickly stocking product to prevent empty shelves through selling goods and providing great customer service, every employee has a job that affects the overall customer experience. And no matter the shape and size of your business, productivity is key to driving sales. So when employee issues arise – from attendance to cash handling to quality of work – a manager’s time will be focused away from your business goals. Not to mention that employee issues can devolve into costly administrative charges and lawsuits that create immense burdens, distracting your workforce from today and tomorrow’s work.**

The Fisher Phillips Retail Industry Team partners with retailers to improve employee productivity in many ways.

## **SUPERVISOR TRAINING**

Retail remains one of the few areas where employees are often promoted to supervisory roles from within organizations. Many retail managers may have no prior experience with leading other employees at the time of their promotion. Providing new and established managers with the tools to effectively manage their people while avoiding the myriad of employment law traps is critical. Fisher Phillips attorneys understand that frontline supervisors do not have the time or capacity to become employment law experts. To this end, we conduct training and assist employers in developing in-house training programs focused on proper handling of practical day-to-day situations that will not overwhelm already-busy employees. A key focus is on training supervisors to spot situations that call for obtaining upper-level guidance before proceeding.

## WAGE AND HOUR POLICIES

Retailers have long been a target of attorneys seeking to bring class or collective actions claiming violations of wage and hour laws, both federal and state. These laws are becoming more complex as both state and local governments are jumping into the business of micromanaging employees' time and pay. We can provide guidance on this often-complex patchwork of laws to retailers, especially those expanding into new areas, and audit current practices to avoid claims and prepare to defend any that do arise. We can recommend policies and practices that assist employers in navigating this ever-changing world.

## HOW WE CAN HELP

- **You are looking to open stores in a new state.**

*We can identify how your current policies and practices will be impacted by and need to be changed based on the laws of local jurisdictions. This can range from differing minimum wage laws to local ordinances regulating how employees are scheduled to mandatory leave policies.*

- **You are looking to improve employee relations to boost morale and productivity.**

*We have experience assisting employers in examining and changing workplace cultures to avoid the interference of third parties in the workplace. Much of this experience comes out of our work assisting employers in creating environments that are naturally resistant to the efforts of unions to organize workforces. These techniques transcend that narrow goal and can increase worker engagement and productivity.*

- **You have been sued by an employee claiming the reason for their discharge was illegal.**

*We have litigated all manner of wrongful discharge, discrimination, harassment, and retaliation cases throughout the country. We will work closely with you to identify the best strategy for responding to lawsuits and work tirelessly to achieve the desired outcome.*

## Insights

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INSIGHTS

01/02/24

### Workplace Law Update: 10 Essential Items on Your New Year To-Do List

Raeann Burgo, Melissa (Osipoff) Camire, Benjamin M. Ebbink, Lonnie D. Giamela, Jang Hyuk Im, Anthony Isola, Corina Johnson, Joshua Klein, Sean Kingston, Alexandra LaCombe, David Lerner, Courtney Leyes, Emily N. Litzinger, Richard R. Meneghello, Kate Mize, Samantha J. Monsees, Joshua D. Nadreau, Monica Snyder Perl, Lisa Nagele-Piazza, John M. Polson, Ashton M. Riley, Katie Reynolds, Jennifer B. Sandberg, Andrew J. Sommer, Spencer W. Waldron, Sarah Wieselthier

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Alba V. Aviles, Steven M. Bernstein, J. Randall Coffey, Patrick J. Collopy, Tami Essis Culkar, Benjamin M. Ebbink, Scott Fanning, Chantell C. Foley, Edward F. Harold, Ralph Hua, Wendy Hughes, Jang Hyuk Im, David S. Jones, Jennifer S. Kiesewetter, Joshua Klein, Alexandra LaCombe, Richard R. Meneghello, Steve A. Miller, Joshua D. Nadreau, Lisa Nagele-Piazza, Ashton M. Riley, Shanon R. Stevenson, David J. Walton, Sarah Wieselthier, Spencer W. Waldron

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Benjamin M. Ebbink, Lisa Nagele-Piazza

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William T. Okamoto, Alden J. Parker, Erin Price, Tyler Woods

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J. Randall Coffey, Scott Fanning, Edward F. Harold, Ralph Hua, Steve A. Miller

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Lisa Nagele-Piazza

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Marty Heller, Steven M. Bernstein

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### Top Workplace Law Stories You May Have Missed from March 2023

William E. Altman, Christopher Alvarez, Nicholas G. Anhold, Christina Anton, Cheryl L. Behymer, Steven M. Bernstein, Sheldon J. Blumling, Ted Boehm, Suzanne K. Bogdan, Kathleen McLeod Caminiti, Melissa (Osipoff) Camire, Jennifer B. Carroll, Patrick J. Collopy, Benjamin M. Ebbink, Scott Fanning, James C. Fessenden, Jeffrey A. Fritz, Stephen R. Gee, Jason A. Geller, Darcey M. Groden, Linda J. Gullledge, Rebecca Hause-Schultz, Marty Heller, Usama Kahf, Courtney Leyes, Emily N. Litzinger, Todd B. Logsdon, Todd A. Lyon, Steve A. Miller, Danielle Hultenius Moore, Brett P. Owens, John M. Polson, Abby H. Putzulu, Alden J. Parker, Kristin L. Smith, J. Hagood Tighe, A. Kevin Troutman, Danielle S. Urban, Travis Vance, Spencer W. Waldron, Alexander A. Wheatley, Kristin R.B. White, Sheila M. Abron

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