

## **Benjamin Dudek**

*Partner*

Columbia

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Email



### ***Service Focus***

- Counseling and Advice
- Employment Discrimination and Harassment
- Litigation and Trials
- Reductions in Force (RIFs)

### ***Industry Focus***

- Hospitality
- Manufacturing

### ***Overview***

Ben Dudek is an employment attorney in the Columbia office. He is certified by the South Carolina Supreme Court as a Specialist in Employment and Labor Law.

Ben is very active in defending employers against administrative charges and lawsuits in state and federal courts. He represents clients in matters involving the Americans with Disabilities Act (ADA); Title VII discrimination, retaliation, and harassment; the Family and Medical Leave Act (FMLA); the Age Discrimination in Employment Act (ADEA); wrongful discharge; and wage and hour laws.

When Ben is not defending clients, he enjoys providing advice and counsel on everyday workplace law issues. He also drafts and reviews handbooks and employment policies for clients with operations across the country. In particular, Ben counsels clients on drug and alcohol testing policies and procedures. He also assists clients undergoing reductions-in-force (RIFs) and reorganizations.

Ben devotes another part of his practice to drafting non-compete and non-solicitation agreements for clients to protect their customers and competitive assets. He also advises clients on how to

enforce these agreements as well as defend against claims from competitors related to unfair competition.

Prior to attending law school, Ben was a staffer for the U.S. House of Representatives Committee on Transportation and Infrastructure in Washington, D.C. Within his practice, he monitors the latest legislative developments affecting employers on the federal, state, and local levels.

During law school, Ben was a Senior Articles Editor for the South Carolina Law Review. He is the author of "Rebutting the Strong Presumption of Reliability for Effective Assistance: The Pursuit of Cumulative Analysis for Strickland Claims in South Carolina," 65 S.C. L. Rev. 685 (2014). Ben was inducted into the Order of the Coif and the Order of Wig and Robe. In addition, he received CALI Awards in Business Corporations; Civil Procedure; Legal Reasoning, Analysis, and Writing I; and Problems in Professional Responsibility.

Before joining Fisher Phillips, Ben served as a law clerk to the Honorable H. Bruce Williams on the South Carolina Court of Appeals.

## ***Credentials***

### **Education**

- J.D., 2015, magna cum laude, University of South Carolina School of Law
- B.A., 2009, summa cum laude, University of South Carolina

### **Bar Admissions**

- South Carolina

### **Court Admissions**

- U.S. District Court for the District of South Carolina
- U.S. Court of Appeals for the Fourth Circuit

## ***Recognitions***

- Recognized in *The Best Lawyers in America*, Ones to Watch (2021 – 2024)

## ***Affiliations***

### **Professional Activities**

- Junior Achievement YPA Board
- University of South Carolina School of Law 1L and 3L Mentor
- Richland County Bar Association

NEWS

12/14/23

## Fisher Phillips Elects 28 New Partners

Nazanin Afshar, Alba V. Aviles, Gregory Blueford, Raeann Burgo, Lyle M. Chan, Megan F. Clark, Jerry Paul Cline, Patrick M. Dalin, Meghan Delaney, Benjamin Dudek, Jason A. Fischbein, Christopher A. Gelpi, Lauren G. Goetzl, Greg Grisham, Brandon Kahoush, Aymara Ledezma, Kristina Leonhardt, Phillips L. McWilliams, Joel Moon, Justin Reiter, Lauren Roseman, David C. Roth, Caroline S. Scala, Marie Tedesco Scott, Phillip Simpler, Sarah Wieselthier, Connie Yang, John M. Polson

[Read more →](#)

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INSIGHTS

08/31/23

## FP Snapshot on Manufacturing Industry: Your Handbook Might Need Immediate Changes

William E. Altman, Benjamin Dudek

[Read more →](#)

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PODCASTS

06/27/23

## Podcast: Best Practices to Minimize Risks of Employing Remote Workers

J. Hagood Tighe, Matthew R. Korn, Benjamin Dudek

[Read more →](#)

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EVENT

06/14/23

## Wage and Hour Wednesday: Best Practices to Minimize Risks of Employing Remote Workers

Matthew R. Korn, James F. Glunt, Benjamin Dudek

[Read more →](#)

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INSIGHTS

05/26/23

## Hiring Seasonal Workers This Summer? Here's Your Guide to Bringing Aboard Minors, Interns, and Volunteers

Benjamin Dudek, Emily N. Litzinger

[Read more →](#)

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INSIGHTS

12/05/22

## FP Weekly Checklist: Does Your Company Need a Chief Remote Officer?

Benjamin Dudek, Hannah Sweiss

[Read more →](#)

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INSIGHTS

06/06/22

## Accept the Challenge and Develop a 6-Step Plan to Legally Manage Your Remote Employees

Benjamin Dudek, J. Hagood Tighe

[Read more →](#)

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INSIGHTS

12/16/21

## Unhappy New Year? South Carolina Employers Face New LawsUIT Worries After Supreme Court Decision

Phillips L. McWilliams, Benjamin Dudek

[Read more →](#)

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INSIGHTS

10/06/21

## Employer Asks Workers Seeking Religious Exemption from Vaccine Mandate to Swear Off Tylenol and Tums

Phillips L. McWilliams, Benjamin Dudek

[Read more →](#)

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INSIGHTS

10/01/21

## Feds Now Have Broader Authority to Assess Monetary Penalties for Tip Violations

Gregory D. Ballew, Ted Boehm, Benjamin Dudek

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