

Capabilities

TECH

Tech companies evolve quickly – and so do the workforce issues that shape your success. From protecting IP and managing distributed teams to navigating AI, data privacy, and rapidly changing laws, we understand your world and deliver solutions built for innovation.

How we can help:

- IP, Data & Trade Secret Protection
- AI, Privacy & Compliance Strategies
- Employment & Labor Compliance
- Workforce Management & Dispute Resolution
- Immigration & International Counsel

Technology companies are quick to adapt to market trends but regularly face hurdles when managing their workforce. Attracting talented employees, keeping them happy, and being prepared for some turnover is an entirely different skillset. You must protect competitive assets, promote a fair work environment that can efficiently scale up or down, and be ready if a crisis hits. And all the while you need to stay current on evolving laws and regulations and implement robust compliance strategies to mitigate risks on multiple fronts.

As part of a leading international labor and employment law firm, we provide legal solutions as advanced as the technologies our clients are creating. Fisher Phillips' Technology Industry Team taps its deep knowledge, experience, and skills to provide tech companies with comprehensive legal solutions tailored to their specific needs.

We will support you through first-rate service – including transparency, responsiveness, and predictable budgets – and first-rate results.

Our clients range from startups to multinational Fortune 500 companies in the software and cloud computing, manufacturing, aerospace and avionics, logistics, gaming and interactive entertainment, social media, artificial intelligence, gig economy, biotech, defense, and semiconductor sectors.

We team up to help technology businesses in areas including:

Counseling and Advice: We'll advise you on all aspects of your workplace to ensure compliance and minimize legal risks. Our lawyers assist tech industry clients on all issues related to the employee life cycle (e.g., hiring, retention, compensation, benefits, performance management, terminations) and in making sure various positions are properly classified. They'll help you develop workplace policies, provide training, conduct internal investigations, ensure compliance with labor laws and much more. We're dedicated to helping you take measures that will deter lawsuits, maximize your chances of success should any claims arise, and promote a positive work environment.

Wage and Hour Laws. Our lawyers are highly skilled in advising and defending employers in all aspects of [wage and hour law](#). Because these regulations vary across jurisdictions, it can be quite a challenge to monitor and comply with all of those that apply to you. We'll help you tackle the challenges of compliance, manage distributed and remote workforces, devise pay practices and policies, classify your workers appropriately, conduct audits, and defend you in litigation and investigations.

Litigation and Dispute Resolution. Members of our team are experienced representing technology companies in cases involving discrimination, harassment, retaliation, wage and hour laws, worker misclassification, data privacy, employment contracts and non-disclosure and non-compete agreements. Our [Litigation and Trials](#) lawyers can represent you in any court, administrative agency, or commission across the country in cases up through and including large class and collective actions. While we have a stellar record of success in court, we recognize there are many paths to victory and will partner with you to find the best one in your situation.

Labor Relations. Tech workers are increasingly seeking to unionize, citing concerns about working conditions, pay, job security and workplace surveillance, among others. Members of our [Labor Relations Team](#) are highly experienced in tailoring lawful and effective positive employee relations plans for our technology sector clients well before and in response to signs of employee discontent to help clients preserve their direct working relationships. Our labor lawyers also regularly represent tech industry employers before the NLRB in connection with

representation elections, unfair labor practice charges and work stoppages. We'll also help you formulate labor-relations plans for M&A transactions and any corresponding reductions in force (RIFs).

Immigration. You need to attract and retain the most skilled workers to help your business grow and thrive, which often means tapping international talent pools. Fisher Phillips' [nationwide Immigration Team](#) helps small and large employers secure H-1B visas and work permits to help fill important roles, manage challenges of globally distributed workforces, and comply with all applicable policies and regulations.

Artificial Intelligence. Technology companies are on the frontline of the AI revolution. With AI, we can help in two ways. First, we assist many clients with developing AI governance programs. Building safe AI solutions is essential for all companies, especially technology enterprises. We can build the governance programs to help technology companies minimize their risk when creating and deploying AI solutions. Second, AI is having a massive impact on the workforce. Employers must take care when using automated decision-making tools to ensure they don't inadvertently discriminate against certain groups when making personnel decisions and that they protect privacy and data when using surveillance. [Our team](#) will help you integrate AI into the workplace, implement effective and compliant policies that minimize risks, resolve related disputes, and keep you up to date so you can maximize potential benefits.

Employee Defection and Trade Secrets. Your employees routinely handle sensitive and proprietary data, with many managing valuable customer relationships. Our [EDTS Team](#) will help you protect proprietary business information and intellectual property by drafting effective policies and documents including confidentiality agreements, non-competes, and other restrictive covenants. We'll also assist with employee transitions to protect sensitive data and shield against litigation. Should controversies arise, we are ready at a moment's notice to defend your interests and/or seek immediate injunctive relief wherever you seek it.

Crisis Management. Your work is a source of public fascination, which can put you under the microscope and complicate already difficult situations. Layoffs, claims of discrimination or harassment, worker unrest, cybersecurity incidents, accidents at work, high-profile departures, unexpected lawsuits and the like become even more problematic as a result. Our [Crisis Communications and Strategy Group](#) is prepared to help you guard against dangers, effectively address issues while minimizing disruption, and preserve your business' hard-earned reputation.

Data Privacy. Your data is the lifeblood of your business, so you need to be vigilant in protecting it, including information about employees. We'll work with you to create processes to ensure data is securely handled and stored, and that you comply with

applicable data privacy laws (e.g., GDPR and those of various states, such as the CCPA). Should there be a breach or ransomware attack, our [Privacy and Cyber](#) attorneys will help you investigate, address and properly respond to the incident and take measures to help prevent similar occurrences in the future.

Diversity, Equity, and Inclusion (DEI). Some companies in the technology industry have come under fire for permitting workplace atmospheres that create barriers for women as well as employees of color, older workers, and LGBTQ individuals. With vast experience in this area, members of our team will work with you to maintain, communicate and enforce equitable policies, develop appropriate hiring and promotion criteria, train employees, ensure pay equity, and mount a vigorous defense if controversy arises.

RESOURCES



Tech Employer Starter Kit

Disclaimer: By clicking the link above, you will be redirected to fpSolutions, a subsidiary of Fisher Phillips, where you can purchase HR-related products, services and training solutions. We are not responsible for the privacy practices or the content of this or any other linked websites. To help ensure the protection of your privacy, we recommend that you review the Privacy Policy of any site you visit via a link from our website.



How Technology Companies Can Reduce Risk with Strong Contracts

It is mission-critical for technology companies to protect their trade secrets, intellectual property, and key customer, employee, and vendor relationships from unfair competition. The first and best line of defense is the contract between the company and its employees.

The laws governing confidentiality, IP assignment, non-competition, and non-solicitation provisions differ drastically from state to state and have undergone a significant change in the last 10 years. The days of rolling out an identical form agreement around the country are over.

Here are the biggest risks technology companies face if they fail to use strong, legally compliant agreements with employees.



Losing trade secret protection. To have a legally protectable trade secret, a company must take reasonable measures to protect its sensitive information. Failure to have an enforceable confidentiality agreement with employees who are entrusted with trade secrets can put trade secret protection at significant risk. Courts are increasingly holding confidentiality agreements unenforceable because they are either too broad or do not have state-specific requirements. Without trade secret protection or an enforceable confidentiality agreement, competitors could gain your most valuable assets with little or no recourse.



Losing intellectual property rights. Your employees and independent contractors are paid to develop highly valuable intellectual property for your company. But without a clear contract, the ownership of your IP may be at risk. A disgruntled employee or independent contractor may try to argue the IP they created belongs to them, or they may thwart the Company's efforts to secure its IP rights through patent or other legal protection. The right contract can significantly reduce these risks.



Exposing the Company to class action liability. Among many changes in this area of the law, several states now impose civil penalties for violation of that state's restrictive covenant laws. In states like California, Washington, Colorado, and Illinois, employees may be able to assert class claims for simply being asked to sign a contract that does not comply with the rules. These statutes usually allow the employees to recover attorneys' fees as well.



Losing key business relationships to competitors. Tech companies have a strong protectable interest in their customer and employee relationships. Employees are usually highly trained and difficult to replace. Most states allow tech companies to protect these interests with carefully tailored non-solicitation and non-interference provisions. But failure to comply with state nuances may render these provisions unenforceable, or worse, illegal.

Fisher Phillips can help.

Our Employee Defections and Trade Secrets Practice Group maintains strong, up-to-date 50-state templates that can be efficiently modified for your specific business needs. Contact Jonathan Crook for a free consultation.



Jonathan Crook
Partner | Charlotte
704.354.9313
jcrook@fisherphillips.com



Powered by

Blue Pencil Box makes cutting-edge knowledge management in restrictive covenant law accessible on a subscription basis. Subscribers can enjoy access to best-in-class legal updates, analysis, and practice tools.

fisherphillips.com

How Technology Companies Can Reduce Risk with Strong Contracts

INDUSTRY FOCUS

Technology Transactions

KEY CONTACTS



Danielle H. Moore

Executive Partner, Management Committee

San Diego

858.597.9600



Brett P. Owens

Partner

Tampa

813.769.7512

INSIGHTS

Insights

Mar 4, 2026

Tech Sector Guide to Stock Options: Compliance, Tax, and Strategic Planning Considerations for Company Leaders

Insights

Feb 24, 2026

A Quick Primer to Help Your Business Comply With the EU's Cyber Resilience Act

Insights

Feb 9, 2026

Google Engineer Who Stole AI Trade Secrets Gets Guilty Verdict: Lessons for Your Business

Event

Jan 22, 2026

Employment Law Essentials for Tech Startups

Insights

Jan 7, 2026

6 Steps Tech Employers Can Take to Strengthen Trade Secret Protections in 2026

Insights

Jan 7, 2026

FP's Top 2026 Predictions for the Tech Sector