

Brian P. Krier

Associate

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Service Focus

- Litigation and Trials
- Wage and Hour
- Employment Discrimination and Harassment

Overview

Brian Krier is an associate in Fisher Phillips' Philadelphia office who spent eight years as a senior trial attorney in the U.S. Department of Labor's Regional Solicitor's Office in Philadelphia, where he represented the Secretary of Labor in litigating wage and hour, workplace health and safety, and anti-discrimination and whistleblower cases. At Fisher Phillips, he defends employers against wage and hour claims involving the Fair Labor Standards Act (FLSA) and related state laws as well as cases involving allegations of workplace safety violations and discrimination.

While at the Department of Labor, Brian's accomplishments included:

- Serving as lead counsel in winning summary judgment in an FLSA overtime case involving the compensability of travel time for hundreds of home care workers, which the Third Circuit affirmed on appeal.
- As lead counsel, winning summary judgment in an FLSA overtime case involving an employer's use of fluctuating pay rates for home care workers in the Philadelphia area.
- As lead counsel, securing partial summary judgment and several pretrial motions before successfully settling an FLSA overtime case involving a multi-state restaurant chain's pay practices for kitchen employees.
- Serving as co-counsel in two FLSA lawsuits against a laundry business that failed to pay its employees the proper minimum wage and overtime or keep proper records of hours worked.

One case resulted in a successful bench trial in the Eastern District of Pennsylvania and the other yielded a temporary restraining order and preliminary injunction.

- Working closely with the Wage and Hour Division to bring a national oil and gas infrastructure firm's overtime pay practices into compliance with the FLSA and properly account for daily lump sums paid under various labor agreements with pipeline construction workers.

Brian also previously served as an attorney advisor at the Transportation Security Administration, where he represented the agency and management in employment litigation and labor arbitrations and counseled leadership on various employee relations matters.

Credentials

Education

- J.D., *magna cum laude*, Drexel University, Thomas R. Kline School of Law
- B.A., 2008, *summa cum laude*, Temple University

Bar Admissions

- Pennsylvania

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania