



September 13, 2012

86 Burr & Forman Attorneys Selected Among *Best Lawyers in America*

H. William Wasden Named 2013 Mobile Labor Law - Management "Lawyer of the Year" by *Best Lawyers*



Burr & Forman LLP is pleased to announce the inclusion of 86 of its attorneys among *The Best Lawyers in America* for 2013. Eight attorneys in the [Labor & Employment](#) group are among those selected

for inclusion: [John J. Coleman III](#), [Marcel L. Debruge](#), [Mac B. Greaves](#), [Ashley H. Hattaway](#), [Michael L. Lucas](#), [Dent M. Morton](#), [Morey Raiskin](#) and [H. William Wasden](#). Wasden has also been named the *Best Lawyers' 2013 Mobile Labor Law-Management "Lawyer of the Year."*

Additionally, five other Burr & Forman LLP attorneys have been named 2013 "Lawyers of the Year" by *The Best Lawyers in America*: [Lawrence R. Ahern III](#) - Nashville, Litigation Bankruptcy; [W. Davidson Broemel](#) - Nashville, Insurance Law; [John F. DeBuys, Jr.](#) - Birmingham, Land Use & Zoning Law; [John C. Morrow](#) - Birmingham, Transportation Law; [Marion A. Quina, Jr.](#) - Mobile, Admiralty & Maritime Law.

Since the previous edition, 12 Burr & Forman attorneys have been recognized by the publication, which is available at www.bestlawyers.com. The full list of Burr & Forman attorneys selected for inclusion in the 2013 guide can be found [here](#).

INTRODUCING

Succeeding in Succession Burr & Forman Blog

Business succession planning is strategic planning for those changes in ownership and leadership which inevitably occur in every closely-held or family-owned business no matter whether the owner(s) is prepared to face such changes or not. Unfortunately, some of the largest issues incurred by closely-held businesses involve transfer of ownership, and the primary reason for such issues is lack of planning.

Headlines

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News Briefs

EEOC Releases Draft Strategic Enforcement Plan

Faced with a rising caseload and shrinking resources, the U.S. Equal Employment Opportunity Commission released a draft strategic enforcement plan that calls for bringing cases with the broadest possible impact and eliminating systemic barriers in recruitment and hiring. The EEOC has asked the public for comments on the plan, which it says will shift the "enforcement paradigm from complaint-driven to priority-driven."

(Source: law.com, 2012-09-06)

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Court Revives EEOC Disabled Worker Suit Against United Airlines

A federal appeals court has revived an Equal Employment Opportunity Commission lawsuit against United Airlines, and said U.S. law generally requires employers to reassign disabled workers to vacant jobs for which they are qualified. The case stemmed from a "competitive transfer" policy that United had adopted in 2003 for workers who could no longer perform their jobs because of disabilities.

(Source: Reuters, 2012-09-07)

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California Bill Would Give Union-Style Rules to Domestic Workers

Nannies, housekeepers, childcare providers and caregivers in California would be eligible for overtime and meal breaks under a bill making its way through the Legislature. The bill also would require that live-in workers be compensated if their eight-hour rest period was interrupted.

(Source: Mercury News (free reg. req'd), 2012-08-29)

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Court Sides with Arizona Over Union Election Secret Ballot Law

Arizona defeated a U.S. government court challenge to a law requiring that union elections be held using a secret ballot as opposed to using the so-called card-check. U.S. District Judge Frederick Martone in Phoenix sided with Arizona in a lawsuit brought by the federal National Labor Relations Board challenging the 2011 law, according to a court filing.

(Source: Bloomberg Businessweek, 2012-09-05)

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Inequalities Over Flexible Hours Have Some Employees Angry

Many Americans who work for companies that embrace flexible hours are confronting a sort of office class warfare. Some employees have come to expect that the demands of their children, in particular, will be accommodated -- and not all of their colleagues are

Due to this, it is imperative that you understand and plan to avoid issues with the transfer of ownership and leadership of your closely held or family owned business.

For these reasons, the attorneys of Burr & Forman's Succeeding in Succession Blog launched this blog to help closely-held or family-owned business owners keep up with news, statutory changes, legal opinions and practical tips involving all areas of business succession planning.

Please access our blog here:
www.burrbusinesssuccession.com.

If you ever have a question about something on the blog, or have a business succession planning issue, please contact any of [Burr & Forman's Business Succession Planning team members](#).

Health Care Industry Targeted by OSHA in Push to Reduce Workplace Violence



Organizations in the health care industry are likely already aware that all employers have a duty to take measures to ensure the safety of their employees. These

organizations may also know that workplace violence is a safety risk that must be addressed. Nonetheless, it is important for health care employers to be aware of the specific workplace violence concerns that are unique to the healthcare industry and how to avoid legal consequences that can result if an employer fails to adequately address these concerns.

Please click [here](#) to read the full article.

For more information, please contact [Ashley H. Hattaway](#) at (205) 458-5153 or ahattawa@burr.com.

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Chair of Burr & Forman's Women's Initiative Discusses Empowering Future Women Leaders



Expanding from Burr & Forman's Diversity Committee, which was formally commissioned beginning in 2001, Partner [Jennifer "Ginger" M. Busby](#) proudly serves as the Chair of the firm's new Women's Initiative. Ginger recently discussed the firm's efforts to empower future women leaders.

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Please click [here](#) to read the full interview.

happy about it.

(Source: The New York Times, 2012-09-01)

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Cities Consider Wooing Foreign Investors with Jobs-for-Visas

Cash-strapped like all governments, the city of Tampa is wondering whether rich foreigners might finance a jobs boom in exchange for permanent visas. The City Council voted to set up a committee to explore the idea after hearing that Dallas, Miami and other cities have jumped into the federal government's visa-selling sweepstakes, a 20-year-old pilot project that is rapidly gaining steam.

(Source: Tampa Bay Times, 2012-09-07)

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Program for Two-Year Deportation Deferrals Off to a Quick Start

One month after the Obama administration started a program to suspend deportations of young illegal immigrants, more than 72,000 of them have applied for the temporary reprieve, senior immigration officials said, and now the first approvals have been granted. The figures for applications received so far — the first results the administration has released since a federal agency began receiving the documents on Aug. 15 — show that large numbers of young immigrants are ready to take the risk of coming forward, administration officials and immigrant advocates said, and that the agency in charge has been able to manage the rush of paperwork.

(Source: The New York Times, 2012-09-11)

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Employers Could Begin Shying Away from Hiring Smokers

Although companies won't be required to provide health insurance that meets the law's various requirements until 2014, a growing number of U.S. companies are starting to treat certain employees differently. Under a provision of the ACA, smokers can be charged up to 50 percent more than nonsmokers for health insurance.

(Source: law.com, 2012-09-06)

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Organized Labor Political Donations Down From 2008, Group Says

As once-powerful organized labor loses members and influence, unions have become more focused on organizing workers and protecting their rights than on funneling money to politicians. Donations to Democratic candidates and committees by labor political action committees were down more than 20 percent from January 2011 to June 2012, compared with the same period leading up to the 2008 election, according to the Center for Responsive Politics, a nonpartisan research group in Washington.

(Source: The Boston Globe (free reg. req'd), 2012-09-03)

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Having an Accent Could Affect Success in Workplace

Although more Americans today speak with a standard American English accent -- think the neutral voice of a public radio host -- than they did 20 years ago, it's still fairly common for people even in the same city to pronounce the same words differently, according to speech language pathologist Ita Olsen. But what does an accent mean for success in the workplace?

(Source: The Wall Street Journal, 2012-09-06)

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NON-COMPETE & TRADE SECRETS Former Events Coordinator Challenges Non-Compete Agreement



A former employee of Event Logistics, Inc. recently filed suit in the Davidson County Chancery Court challenging her employer's non-compete agreement signed two years after her employment began. In *Veit v. Event Logistics, Inc., Davidson County Chancery Court Docket No. 12-945-III*, Falon Marie Veit ("Veit") alleges her employer, Event Logistics, Inc. ("ELI"), asked her to sign a "Non-Competition, Non-Solicitation, and

Ginger has practiced in Burr & Forman's [Litigation](#) and [Labor & Employment](#) Law sections for 20 years. She has chaired several practice groups and served as the Head of the firm's Litigation Section. Ginger also served on the firm's Executive Committee. She is the Chair of the Section Officers Conference of the American Bar Association and the immediate past Chair of the Tort Trial and Insurance Practice Section (TIPS) of the American Bar Association. In addition, Ginger served as the Director of the National Trial Academy which is held every year in Reno, Nevada, and remains a member of the board. She earned her law degree, *summa cum laude*, from Cumberland School of Law at Samford University, and received her Bachelor of Arts from the University of Alabama. Ginger can be reached at (205) 458-5341 or gbusby@burr.com.

Burr & Forman Expands Client Services with 12 New Associates

Burr & Forman LLP continues its growth with the addition of 12 new associates, all recent law school graduates. Click [here](#) to view the list of the firm's 2012 associates.

Confidentiality Agreement" (the "Agreement") on November 28, 2007 after she was promoted to a vice president position. After completing a high profile event for the 2012 Iroquois Steeplechase, Veit resigned her employment with ELI on May 15, 2012.

Click [here](#) to read the full blog post.

For more information on this topic, please contact [John Nefflen](mailto:jnefflen@burr.com) at (615) 724-3219 or jnefflen@burr.com. For more news and developments relating to non-compete and trade secrets law, please visit our blog: www.noncompetetradesecretslaw.com. To receive notice of future blog posts, please [subscribe to this blog's RSS feed](#).

Please click [here](#) for a list of our Non-Compete & Trade Secrets attorneys.

Results Matter Radio Presents: "WIT" – Women In Technology Panel



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Our guests join us to discuss the events, programs and opportunities at Women In Technology, Inc. ("WIT"). To learn more about WIT, please visit www.mywit.org.



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