

Manufacturing

Most U.S. manufacturers are in the middle of a rapid rebound from the disruptive impact of the COVID-19 pandemic. Yet at the same time, industry employers face increased safety, sustainability and environmental regulations, rising costs, high turnover, supply chain issues and workforce transformation, labor and compliance concerns.

Overview

Jackson Lewis P.C. represents a broad assortment of original equipment and supply chain manufacturers. We offer particularized knowledge, depth of experience and insight are automotive, food & beverage, metals and coatings, aeronautics, electronics, cosmetics, chemicals — and their related transportation, distribution and logistics supporters. The forward thinking and pragmatic insights and guidance our attorneys offer to our clients are enriched by the many years we have represented employers in these manufacturing-related sectors. Importantly, our geographic reach, together with our culture of cross-functional collaboration and dedicated industry knowledge, combine to enable Jackson Lewis to deliver the truly “value added” advice our clients need to succeed in this era of significant systemic disruptions in the global manufacturing ecosystem.

Attorneys on our manufacturing industry team have extensive knowledge of federal, state and local laws and regulatory concerns that impact manufacturing business operations. We leverage our international capabilities and networks to help our clients manage their global operations, including the issues facing manufacturers and their supply chain partners.

We provide a full range of services addressing all aspects of the labor and employment relationship, including litigation, human resource development, AI manufacturing initiatives, data/information security, traditional labor law and counseling.

National COVID-19 Task Force

- Serve as a one-stop reference source for compliance with all state and federal regulations.
- Outline best practices to prevent the spread of COVID-19.
- Advise on the most recent recommendations from federal and state regulators for PPE and administrative controls.
- Advise on workforce restructuring and reductions-in-force.
- Provide guidance on how to prepare the workplace for employees and design policies to facilitate employee return to work or continued or expanded remote work.

Hiring and Workforce Re-Deployment and Utilization

- Advise on affirmative action and diversity, equity and inclusion strategies and

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compliance.

- Facilitate the protection of confidential and proprietary information in remote work environment.
- Provide strategic assessment of disability and leave management policies and practices (ADA, Title VII, among others).

Labor—Management Relations

- Advise on operational restructuring and production flexibility—contract negotiation and reformations; plant closings; predictive scheduling; addressing union interference or disruption (positive employment relations advice).
- Provide representation in labor disputes, including unfair labor practice charges, picketing and strikes, as well as in collective bargaining negotiations.

Compliance Assessment and Upgrading of Policies and Procedures (U.S. and International)

- Conduct audits and advice and counsel on a wide range of matters including OFCCP compliance for federal contractors, wage and hour compliance reviews, drug testing, background check process, non-competes, data privacy, immigration and benefits matters.
- Ensure compliance with a number of regulations governing the workplace including:
 - Workplace Safety and Health—OSHA, Rehabilitation Act;
 - Americans with Disabilities Act (“ADA”) and Family and Medical Leave Act (“FMLA”)
 - False Claims Act and other state whistleblower laws;
 - Sarbanes-Oxley Act (SOX) and internal complaints;
 - Federal contractors;
 - Wage and Hour—FLSA and state law; and
 - Disparate Impact analyses.

Litigation

- Litigate cases involving allegations of discrimination and retaliation under federal and state law, as well as related tort (including misuse of protected company data) and contract claims.
- Defend wage and hour lawsuits, including class actions involving “donning and doffing” claims and other off-the-clock work as well as other class actions
- Represent employers in grievance and arbitration proceedings.

Sub-Sectors

Although we represent clients in all areas of manufacturing, we have particular experience with automotive manufacturers, chemical manufacturers, manufacturers of food and beverage and packaging products, metal and steel products and coatings, electrical products and components and manufacturers with international plants, especially within North America.

Automotive

Growth into new markets such as autonomous vehicles, electrification and the mobility sphere impacts automotive OEMs and global suppliers of parts and technologies as they transform transportation and integrate cross-sector solutions. This transformation is often accompanied with sharpening operations and the modernization of business practices.

Anticipating problems, identifying and implementing preventive measures and providing sensitive representation during litigation and labor relations requires knowledge of both the law and the nuances of the automotive industry. Jackson Lewis attorneys—consisting of former senior leaders and seasoned industry veterans—can assist clients with virtually every type of workplace law concern, including specialized issues like data security and the protection of trade secrets, defending systemic class action claims and compliance with immigration laws and regulations.

Chemicals

Companies that produce chemical products from the Earth's raw materials must be proactive in identifying business opportunities while monitoring the risks inherent in managing their workforce, including protecting trade secrets and complying with safety mandates.

We understand that employers in the chemicals industry face environmental, intellectual property and product liability concerns that may exist in addition to their employment law needs. Our top priority is to provide tailored legal advice that always takes into account the client's specific regulatory and operational challenges.

Electrical and Components

Manufacturers of electrical products and components, including hydraulics, face challenges with rapidly evolving technology, automation, ever-changing regulatory schemes and a work force that includes highly skilled engineers and technicians. Whether they are developing new equipment or designing and producing complex mechanisms and components, companies in this area must navigate countless laws and regulations at the federal, state and (increasingly) local level that affect their workforce. We are cognizant of the employment policies, practices and employee relations issues this industry faces. Utilizing our attorneys' collective experience across multiple practice areas, along with hands-on knowledge of clients' businesses, we tailor our advice and services to companies' specific needs.

Food, Beverage and Packaging

Employers in the food, beverage and packaging industry must balance the demands of providing essential goods and services with the complex workplace challenges that come with managing a workforce necessary to reach significant numbers of local, national and global customer, often with ever fluctuating demands for goods.

Challenges arise from managing a diverse and changing workforce, which is often unionized, stringent consumer and worker safety requirements and complying with various regulatory requirements. At the same time, customer demands, including sustainability and related calls for heightened social responsibility, are abundant. At all times, we strive to help manufacturers reduce workplace disputes and union issues through preventive measures and to reach optimal and timely solutions in the event of litigation or government action.

Metals and Coatings

The essential role that metal and coating manufacturers play in the nation's infrastructure has spared them some of the sweeping shutdowns that have impacted other industries during the pandemic. However, employers in this area face many challenges as they return to full production and reimagine their workplaces for the coming years. We monitor trends that are impacting workforces in this sub-sector and regularly advise employers on how these issues impact their organizations.

International Manufacturing

U.S. manufacturers that maintain operations or supply chains in Mexico will continue to face challenges as Mexico accelerates implementation of its new labor law and the United States increases pressure on Mexico for faster labor reforms through unprecedented enforcement tools available under the United States-Mexico-Canada Agreement (USMCA). Manufacturers are the principal focus of this new initiative. Our

attorneys are collaborating with our Mexican counterparts in L&E Global, the international alliance of labor and employment firms and our partner firms in Canada, to assist international manufacturers in navigating this major change in the law.

Podcasts

podcast

2022: The Year Ahead for Employers - Industry Forecast

1.28

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*The National Operations Center serves as the firm's central administration hub and houses the firm's Facilities, Finance, Human Resources and Technology departments.