



Financial Services

Jackson Lewis P.C. attorneys understand the unique framework of laws, agency regulations and related codes of conduct applicable to employers in the financial services industry. We draw on decades of industry experience to successfully navigate this framework and help our clients achieve their business objectives.

We work with our financial services clients to find solutions and achieve results consistent with their business goals, legal requirements and culture.

Services Include

- Defend clients in federal and state courts, FINRA and AAA in all aspects of defensive litigation including mediations, arbitrations, trials and the appellate process;
- Assist clients with employment related aspects of mergers and acquisitions including WARN, benefit plans and immigration impact analysis;
- Conduct preventive measures such as company-wide audits and HR trainings including the mandatory training now required in many of the country's financial hubs to ensure consistent implementation of employment policies;
- Counsel on restrictive covenants in employment agreements, employee raiding claims, unfair competition claims, broker protocol issues and other employment-related business torts;
- Assist with the preparation of affirmative action plans and related compliance initiatives;
- Conduct pay equity analysis to ensure the organization is acting consistent and evenly in its compensation approach;
- Assist with managing employees requesting or returning from leaves of absence, as well as providing guidance to ensure the HR staff fully understands its disability and leave management obligations;
- Review wage and hour policies and practices for compliance with state and federal laws, including exempt/non-exempt, regular rate and incentive compensation (bonuses and commission) issues

- Defend against single-plaintiff and class actions across the U.S. covering a wide range of employment related claims involving whistleblower and retaliation, wage and hour, constructive discharge, discrimination, hostile work environment, health and safety and all other wrongful termination allegations, as well as claims pursuant to the Dodd-Frank Act and the Sarbanes-Oxley Act;
- Provide counsel and/or conducting internal in relation to allegations of fraud, financial impropriety, conflicts of interest, code of conduct violations and alleged backdating of stock options plans;
- Defend against actions brought by government agencies alleging, among other violations, misclassification of employees, independent contractors and interns;
- Ensure employment and HR policies and procedures comply with federal regulations and the laws of all 50 states;
- Advise on the evolving legal requirements applicable to executive compensation and talent management;
- Provide effective counsel on managing whistleblowers who remain employed;
- Tactfully conduct investigations and compliance evaluations involving even the highest executive levels of the organization;
- Advise on the design of pension, profit sharing, 401(k), and other types of retirement, compensation and welfare benefit plans;
- Advise on the effect of NLRB developments on both non-union and union financial services workplaces, including challenges to social networking policies;
- Advise on the design and implementation of compliance policies and ethics codes that comply with all applicable laws and regulations; and
- Add value for in-house counsel by providing direct, straightforward advice and timely legal updates tailored to the industry.

Privacy, Data and Cybersecurity

Jackson Lewis' interdisciplinary Privacy, Data and Cybersecurity Practice Group stays on the edge of legal developments affecting the workplace, business, marketing risks and opportunities of our financial services clients. Comprised of experienced attorneys, many of whom are "Certified Information Privacy Professionals" (CIPP) by the International Association of Privacy Professionals, we help our banking clients to:

- Achieve a balance between the need for use or disclosure of personal or confidential information with an individual's or entity's privacy rights and interests in an era of big data and high-powered analytics;
- Assist with a data incident, ransomware attack or potential data breach;
- Review and develop enterprise-wide strategies for safeguarding data and maintaining compliance, including data breach response; and
- Maximizing the effectiveness and efficiencies of electronic communications (e.g., social media, BYOD, telemarketing) while avoiding legal, contractual and ethical pitfalls.

The Jackson Lewis Financial Services Team

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