

LITIGATION AND CLAIMS BEFORE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) AND STATE COMMISSIONS

Employment Law Lawyers Assisting Clients Throughout Pennsylvania and New Jersey

Employers need a true advocate and cannot count on the system to be "fair." Kaplin Stewart provides a practical, strong approach to defending employers from employee claims.

Employment Commission Claims

Employers often find themselves forced to respond to charges of discrimination filed with the Equal Employment Opportunity Commission (EEOC) and equivalent state and local commissions (i.e. Pennsylvania Human Relations Commission (PHRC), the New Jersey Division on Civil Rights (DCR), or the Philadelphia Commission on Human Relations). Although the purpose of those commissions is laudable, employees who are terminated or made to comply with reasonable workplace rules often look to blame employers, supervisors, or coworkers for their employment problems, and many employment commissions often function as advocates for employees. The attitude with many representatives of employment commissions is that the employer is "guilty until proven innocent." The Employment Law group have extensive experience representing employers before employment commissions, helping employers to present an aggressive defense and positioning cases for resolution where appropriate. Kaplin Stewart helps employers to work within the system to achieve results that meet the business needs of employers. We also have extensive experience using the mediation and resolution programs within employment commissions to achieve more economically advantageous results for employers.

Litigation and Arbitration

When employees are not satisfied or become impatient with the investigation of a claim by an employment commission, employees may take the next step of filing their claims in Federal or State Court. Some claims, such as those under the Family and Medical Leave Act, wage and hour claims, claims under employment agreements, and "wrongful termination" claims do not need to be filed with employment commissions and proceed directly to court or arbitration. Employers then are forced to spend more money to defend themselves, engage in the production of documents and electronic information, and participate in witness interviews and depositions. Employers do not have an effective remedy to recover the attorney's fees and costs incurred in defending themselves, leaving employees with very little "down side" to commencing litigation. Employers need to be aggressive while mindful of the overall progression and resolution of employment litigation. Kaplin Stewart utilizes its experience to provide employers with the information needed to make informed decisions about the defense of employment claims. Employers never can insulate themselves completely from employment litigation, but as with proceedings before employment commissions, employers must be aggressive and well informed to prevail or reach a claim resolution which makes good business sense for the employer.

Kaplin Stewart handles employment claims and litigation in many different forums

- Federal Court
- Pennsylvania State Courts
- New Jersey State Courts
- Equal Employment Opportunity Commission
- Wage and Hour Division of the United States Department of Labor
- State and local wage commissions
- OSHA claims related to employment conditions before the United States Department of Labor
- Pennsylvania Human Relations Commission
- New Jersey Division on Civil Rights
- Philadelphia Commission on Human Relations
- Local employment commissions across Pennsylvania and New Jersey
- Unemployment compensation bureaus
- Private Arbitration claims (including claims before the American Arbitration Association)
- Private Mediation claims (including claims before the mediation division of the American Arbitration Association and other private mediation companies)

Contact an Employment Litigation Attorney Today

The attorneys in our Employment Law group take pride in delivering high quality, comprehensive representation to employers throughout the region and beyond. If you have questions about our firm's services or are seeking legal counsel in connection with an employment law matter, we encourage you to schedule an appointment with a member of our Employment Law team.

Learn how our attorneys can help you advance your business objectives. We service businesses and other entities with offices in Philadelphia and Blue Bell, Pennsylvania as well as Cherry Hill, New Jersey. Contact us online or by phone at 610-260-6000 today to arrange a consultation.