

The Fiber, The Thread, The Weave, The Web **Workshop Leaders**



Christine D. Hanley

Partner, West Palm Beach Office

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Education

University of Miami School of Law (J.D., 1989)

University of Miami (M.B.A., 1985)

Bar Admissions

Florida

Georgia

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern, Middle and Northern Districts of Florida

Georgia Court of Appeals

Memberships

Federal Bar Association

Charter Member and Past President of Academy of Florida Management Attorneys

Palm Beach County Bar Association,
CLE/Employment Law Committee Chair 1995-96, 1996-97, 2012-13

American Inns of Court LIV, Craig S. Barnard Chapter, Emeritus Member

Chamber of Commerce of the

Christine Hanley's practice focuses on regulatory issues affecting the employment relationship. She develops human resources policies, programs and training courses. Her legal expertise includes internal investigations, litigation, arbitrations, mediations, negotiations, administrative hearings and affirmative action compliance and plan development.

Christine is Board Certified in Labor & Employment Law by the Florida Bar and is certified as a Senior Professional in Human Resources (SPHR) by the Human Resources Certification Institute (HRCI). She is also recognized as a Senior Certified Professional (SCP) designation by the Society for Human Resource Management (SHRM).

Recent Experience

- Provided legal direction and practical guidance to municipal employer in the conversion of its pension benefit from a defined benefit plan to a defined contribution plan.
- Counseled and advised dozens of employers seeking to cure FLSA compliance deficiencies.
- Strategized and facilitated organizational reengineering effort involving over 100-member information technology department.
- Provided legal direction and practical guidance to scores of federal government contractor employers ranging from those just subject to the coverage thresholds to national employers with over 30,000 employees in developing and implementing their affirmative action programs and in complying with their related obligations.

Honors and Awards

- Selected to *Profiles in Diversity Journal's* 2015 "Women Worth Watching" list
- 2014 Recipient of the Women in Leadership Award by the Executive Women of the Palm Beaches
- AV® Preeminent Peer Review Rated by Martindale-Hubbell
- *The Best Lawyers in America* (2008-2015)
- "Florida Super Lawyers," *Super Lawyers* magazine (2006-2015)
- 2011 Women Extraordinaire *Business Leader* magazine
- Chamber of Commerce of the Palm Beaches 2011 Athena Business Award
- *Florida Trend's* "Legal Elite" (2010)
- "Pro Bono Employment Law Award" (1999) and "Pro Bono Firm Award" (2010), Palm Beach County Legal Aid Society

Palm Beaches, General
Counsel, Trustee and
(former) Board Member

Executive Women of Palm
Beach County

Rotary Club of West Palm
Beach

Forum Club of the Palm
Beaches

Board of Directors of the
Boys and Girls Clubs of Palm
Beach County, Vice
Chairman of Operations

- Chamber of Commerce of the Palm Beaches 2010 Small Business Person of the Year Award
- Academy of Florida Management Attorneys Past Presidents' Award (2006)
- "Heavy Hitter in Human Resources" by the *South Florida Business Journal* (2004)
- "Best of the Bar," *South Florida Business Journal* (2004)



Karen M. Tyner

Partner, Spartanburg and Asheville Offices

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Spartanburg, SC 29306

One Town Square Blvd., Suite 341
Asheville, NC 28803

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E-mail: ktyner@fordharrison.com

Education

North Carolina Central
University School of Law (J.D.,
summa cum laude, 1991)

University of North Carolina at
Chapel Hill (B.A., 1985)

Bar Memberships

North Carolina

South Carolina

Court Admissions

U.S. District Court for the
Middle and Western Districts of
North Carolina

U.S. District Court for the
District of South Carolina

Memberships

South Carolina Bar

North Carolina State Bar

Spartanburg County Bar
Association

Upstate Employers Network,
Board of Directors

Karen Tyner focuses her practice on OFCCP (Office of Federal Contract Compliance Programs) compliance evaluations, affirmative action requirements and employment litigation. Her involvement with affirmative action plans (AAP) includes drafting plans, training clients on their affirmative action obligations and representing federal contractors and subcontractors in compliance evaluations and administrative enforcement actions before the OFCCP. For her litigation practice, Karen counsels employers and litigates claims of discrimination and harassment under Title VII, the FMLA, the ADA, the ADEA, other civil rights laws, reductions-in-force, as well as state law claims of wrongful discharge. She also trains supervisors and managers on how federal and state employment laws affect their business operations.

Karen's unique specialty is with AAP's. She works with clients to develop AAP's and implement the various obligations required under applicable regulations. Karen also provides routine advice and counsel to corporate clients as to AAP requirements and represents clients during OFCCP audits. Karen also assists companies with implementation of applicant tracking programs and impact ratio analysis.

In addition, Karen has presented seminars on employment law to industrial organizations, employer associations, Chambers of Commerce, and other groups. She is on the Board of Directors for the Spartanburg Development Association. Karen was a member of the *North Carolina Central University Law Review* from 1989 until 1991.

Recent Experience

- Challenged OFCCP's jurisdiction on behalf of health care entity, utility company, and other service provider.
- Represented gambling casino on an Indian Reservation as to FMLA issue involving reduction in force.

Recent Publications

- "Federal Stimulus Recipients: There's a String Attached to That Money," *North Carolina Lawyer's Weekly*, Vol. 22, No. 26, September 7, 2009.
- "A Year of Many Changes for Federal Contractors," *The Impact of New Executive Orders on Government Contracting*, Aspatore (2009).
- *A Guide to ADA/FMLA for the Carolinas*, South Carolina Chamber of Commerce (2006, 2007, 2008, 2009, 2010, 2013).
- *A Guide to ADA/FMLA*, American Chamber of Commerce Resources (2008, 2009, 2010, 2011, 2012, 2013)

Honors and Awards

- AV® Preeminent Peer Review Rated by Martindale-Hubbell.



Linda Cavanna-Wilk

Of Counsel, New York Office

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Education

Albany Law School (J.D.,
cum laude, 1991)

Union College (B.A., 1988)

Bar Admissions

New York

Connecticut

Court Admissions

U.S. District Court for the
Southern District of New
York

Memberships

American Association of
Affirmative Action

Tri-State Diversity Council,
Board Member

Direct Employers,
Compliance Advisory Board
Member

National Association for
Female Executives

Linda Cavanna-Wilk focuses her practice on affirmative action, EEO compliance and diversity. She is involved with affirmative action plan preparation, routine advice and counsel, client representation during OFCCP audits, mock audits, diversity programs and compensation analyses. Additionally, Linda assists companies with implementation of HRIS systems, applicant tracking programs and employment testing.

Linda also counsels clients on employment discrimination, wrongful discharge matters, sexual and other forms of harassment, FMLA, FLSA, reductions-in-force, policy and procedure development and the development of employee handbooks.

Linda teaches various employment law courses including "Affirmative Action Programs: Preparation, Implementation and Compliance," "Internal and External Complaint Procedure" and "Public Sector Law" at Cornell University. Linda is a Board Member for the Tri-State Diversity Council and a member of the Compliance Advisory Board for Direct Employers.

Recent Publications

- *Putting Use of Employment Tests to the Test*, published by Employment Law 360.
- *Sweeping Affirmative Action Regulatory Revisions in Effect*, published by the Employment Law Strategist and Business & Legal Reports, Inc.
- *OFCCP Affirmative Action Regulatory Revisions*, published by Business & Legal Reports, Inc.



Eric Su

Partner, New York Office

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New York, NY 10017

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Education

Vanderbilt University School
of Law (J.D., 1999)

The London School of
Economics and Political
Science (M.Sc., 1996)

Johns Hopkins University
(B.A., 1994)

Bar Admissions

New York

Court Admissions

U.S. Court of Appeals for
the Second Circuit

U.S. District Court for the
Eastern and Southern
Districts of New York

Memberships

American Bar Association

New York State Bar
Association

Eric Su represents employers in employment disputes before federal and state courts, administrative agencies as well as in arbitrations. His practice mainly involves representing management in all aspects of labor and employment law, including investigations by federal and state labor departments; Davis-Bacon Act (and Related Acts), Service Contract Act and state prevailing wage claims defense; defending and prosecuting restrictive covenant claims; counseling management in all facets of workplace fraud investigations, including but not limited to, forensic accounting and IT investigations concerning employee embezzlement, workplace harassment, disloyal conduct and other employee misconduct; Fair Labor Standards Act and state wage law claims litigation, including collective and class action defense; collective bargaining negotiations; unfair labor practice charges, union grievances, strikes, pickets, and other union-related issues; defense of union benefit fund compliance audits and underpayment claims; implementation of workplace policies, including employee handbooks, EEO and wage and hour policies; negotiation of general employment and separation agreements; management of reductions in force, including WARN compliance; defense of workplace harassment and discrimination claims; and defense of wrongful termination claims.

He also advises employers on litigation prevention and counsels them on all aspects of the employment relationship, including compliance with wage and hour and EEO requirements, employment and separation agreements, and day-to-day personnel matters. Eric's emphasis and insistence on compliance with wage and hour and other labor and employment laws and regulations have led to many successful results for his clients before federal and state administrative investigations and in federal and state courts.

Eric has obtained numerous favorable results for his clients in dealing with investigations by the federal and state departments of labor and has successfully resolved labor department investigations in lieu of criminal charges being brought by prosecutorial authorities.

In addition to his labor and employment practice, Eric regularly advises contractors on issues arising out of federal and state government contracts, including counseling businesses in face of federal and state criminal and civil fraud investigations and advising them on federal, state and municipal procurement laws, regulations and rules, bid protests and other related disputes, prevailing wage law compliance, payment withholdings by public owners against contractors and payment claims against public owners.

Eric frequently participates in industry and regulatory-agency speaking engagements alongside federal and state labor department investigators, where he advises business owners and their accountants on how to navigate the requirements of labor and employment laws and regulations and handling and resolving government investigations.

In his spare time, Eric enjoys playing tennis and cooking. He frequently serves

as a volunteer chef for various community organizations.

Recent Experience

- Resolved a United States Department of Labor, Wage and Hour investigation concerning a federal contractor's compliance with the Service Contract Act, in which the government's initial underpayment determination was close to \$2.0 million and through reverse audit and extensive negotiations, finding was reduced to less than \$50,000.
- Resolved a New York City Department of Consumer Affairs investigation over home care employer's compliance with the newly promulgated Earned Sick Time Act and avoided a penalty assessment of over \$500,000 for non-compliance.
- Significantly reduced a New York Department of Labor minimum wage and overtime audit against a restaurant (from \$1.4 million to \$190,000).
- Achieved settlement with trustees of a union fringe benefit fund for a contractor client in a federal lawsuit in which the fund trustees sought to collect underpayment of fringe benefit contributions of over \$2 million, but the matter was settled for approximately \$45,000 after two days of trial.
- Resolved a New York State Department of Labor prevailing wage investigation against a contractor in which the initial underpayment assessment was over \$2 million. Mr. Su's representation of the contractor resulted in the reduction of the assessment to approximately \$500,000.
- Resolved a US Department of Labor minimum wage and overtime investigation against a restaurant by reducing the government's initial underpayment finding of \$240,000 to \$80,000.
- Represented a contractor in a prevailing wage investigation by the Office of the Comptroller of the City of New York wherein the investigation resulted in a finding of no underpayment owed.
- Resolved ten simultaneous investigations by the New York State Department of Labor against a contractor for alleged underpayment of prevailing wages and falsification of payroll documents. Mr. Su's representation of the contractor resulted in the reduction of the initial aggregate underpayment finding of over \$1.5 million to \$300,000.
- Successfully resolved numerous administrative debarment proceedings against public works contractors before federal and state departments of labor.
- Successfully resolved numerous audits, investigations and other administrative proceedings commenced by New York State Department of Labor in which the government alleged that the client sought to collect unpaid withholding taxes and unemployment, workers compensation, disability insurance premiums and related penalties assessed as a result of alleged misclassification of workers as independent contractors by clients from various industries, including retail, hospitality, construction and information technology.
- Obtained an arbitration award of more than \$55 million for unpaid change order work on behalf of a contractor against a hotel developer.
- Successfully litigated and negotiated delay, extra work or change order claims on behalf of contractors performing public improvements.

Recent Speaking Engagements

- Presenter, "Internal Investigations – Minimizing Risk and Maximizing Effectiveness," FordHarrison's Fourth Annual Year-End Labor & Employment Law Workshop, Summit, NJ, December 11, 2014

Honors and Awards

- “New York Metro Super Lawyers,” by *Super Lawyers* magazine

Languages

- Fluent in Mandarin Chinese

Certifications

- Certified Fraud Examiner



Bari L. Goldstein

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Education

University of Miami School of
Law (J.D., 1998)

Florida International University
(B.A., 1994)

Bar Admissions

Florida

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals for the
Eleventh Circuit

U.S. District Court for the
Southern, Middle and Northern
Districts of Florida

Memberships

American Bar Association

Florida Bar Labor and
Employment Law Section

Palm Beach County Bar
Association

Board of Directors, President,
Families First of Palm Beach
County

Alumnus, Leadership Palm
Beach County

Academy of Florida
Management Attorneys

Society for Human Resource
Management, Palm Beach
County Chapter

Bari Goldstein represents and counsels private, not-for-profit and public sector employers on regulatory issues affecting the employment relationship. She specializes in preventative labor and employment defense work and represents and counsels private, not-for-profit and public sector employers on varied regulatory, administrative and litigation issues that affect all aspects of the employment relationship. She advises employers on personnel issues, wage and hour matters and employee relations; conducts on-site audits and investigations; drafts Handbooks and human resources policies and procedures; and, presents workshops on varied employment subjects. Bari also assists clients in the development of Affirmative Action Programs (AAP), represents clients during OFCCP audits and counsels employers on issues stemming from AAP obligations and requirements.

Bari is certified as a Senior Professional in Human Resources (SPHR) by the Human Resources Certification Institute (HRCI), as well as a Senior Certified Professional (SHRM-SCP) by the Society for Human Resource Management (SHRM). Bari is also a qualified EEO investigator.

Bari is President of the Board and Chair of the Human Resources Committee for Families First of Palm Beach County, as well as an active alumnus of Leadership Palm Beach County and a co-chair of the Class Project Committee. During law school, Bari served as a Certified Legal Intern at the Equal Employment Opportunity Commission.

Recent Experience

- Represented several companies in difficult OFCCP compliance reviews and brought them to closure with minimal violations and reporting requirements.
- Successfully challenged OFCCP's jurisdiction on behalf of health care entities.
- Resolved high exposure FLSA matter where client had no records for significantly less than estimated damages.
- Prepared initial AAP for construction contractor; facilitated implementation of AAP requirements; and, represented and defended same contractor from desk audit through on-site review.
- Regularly represents clients before the EEOC and state and local human rights commissions in multiple charges of age, disability, race, and gender discrimination, harassment and/or retaliation claims.
- Regularly achieves nominal settlements for federal and state discrimination and FLSA claims and avoids costly litigation.
- Represents employers in U.S. Department of Labor investigations and on-site audits.
- Investigated complaints of harassment at a private membership club, a water management district and a law firm and recommended corrective action.

Recent Presentations

- "Exemptions Under the Fair Labor Standards Act – Understanding the Present and Predicting the Future," Boys and Girls Clubs of America, August 2015
- "Employment Law - Tools of the Trade," Chamber of Commerce of the Palm Beaches, April 2015
- "When the Smoke Clears (Or Is It Up in Smoke?)," Chamber of Commerce of the Palm Beaches, January 2015
- "Starting Off on the Right Foot, Staying in Step Along the Way," Chamber of Commerce of the Palm Beaches, April 2014
- "The FLSA Foundation Series," Chamber of Commerce of the Palm Beaches, Five-Part Series between April and June of 2013
- "Employment Law Workshop: Starting Off on the Right Foot, Staying in Step Along the Way," Chamber of Commerce of the Palm Beaches, April 3, 2012
- "Employment Law Basics -- What Every Employer Needs to Know," Florida Society of Rheumatology 2011 Annual Meeting, July 15, 2011
- "ABC's of Employment," Chamber of Commerce of the Palm Beaches, January 18, 2011

Honors and Awards

- Nominated for the "Leadership Excellence Award" by Leadership Palm Beach County, February 2015
- *Florida Trend* magazine – "Legal Elite" (2015)