

This roadmap is designed to help employers—especially those less familiar with class or collective litigation—understand the key stages of this type of wage and hour lawsuit. These cases often involve a combination of federal claims under the Fair Labor Standards Act (FLSA), which proceed as “collective actions” requiring employees to opt in, and state law claims, which typically proceed as “class actions” under Rule 23 and include all employees unless they opt out. Because these two systems follow different rules and timelines, the process can be confusing. This guide provides a step-by-step look at what to expect, helping you navigate each stage more confidently and make informed decisions along the way.



TIPS FOR EMPLOYERS

- **Stay Engaged:** Provide payroll and job duty info promptly.
- **Preserve Records:** Retain timekeeping and compensation documents.
- **Be Realistic:** Many cases settle before trial.
- **Consult Counsel:** Legal guidance is essential throughout the process.



FOR MORE INFORMATION:

Nicole Falcey, Partner
Berkeley Heights Office
Direct: (973) 646-7311
Email: nfalcey@fordharrison.com

