

## What is labor and employment law?

- ◆ Labor and employment law are the regulations that govern employer and employee relationships. Employment law refers to the relationship between employers and individual employees. Labor law, on the other hand, refers to the law governing the relationship between employers and employee groups, like labor unions.
- ◆ Attorneys who practice employment law deal with issues like employee benefits (e.g. defined contribution plans or 401(k)'s), regulations regarding wage and hour laws, wrongful termination, and discrimination in hiring or firing practices, including those issues arising as a consequence of an employee's race, age, gender, or disability.
- ◆ The practice of labor law involves understanding state and federal regulatory law. Labor lawyers are familiar with the National Labor Relations Act, as well as the administrative laws and regulations promulgated by the National Labor Relations Board. Negotiations with regard to collective bargaining and unfair labor practices include some of the subjects that labor lawyers may encounter during practice.
- ◆ Labor and employment lawyers may advise employers with regard to forming management policies. They may advise on the creation of an employee handbook, policies regarding criminal background checks and drug screens, or constructing employee benefit plans.

## What classes or activities would help a law student prepare for a practice centered on labor and employment law?

- ◆ Labor law
  - ◆ Fair employment practices
  - ◆ ADR-Labor
  - ◆ Employee benefits
  - ◆ Administrative law
  - ◆ Disability law and practice
  - ◆ Contracts
  - ◆ Torts
  - ◆ ADR-Arbitration
  - ◆ ADR-Mediation
  - ◆ Trial advocacy
  - ◆ Unfair trade practices
  - ◆ Legal drafting—contracts
- ◆ Participate in an externship with one of the following organizations:
    - National Labor Relations Board
    - Equal Employment Opportunity Commission
    - The University of Memphis Legal Counsel's Office
    - Memphis-Shelby County Airport Authority
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**The University of Memphis offers a number of experiential learning opportunities in labor and employment law**

## Where do labor and employment attorneys work?

- ◆ Many large law firms represent employers in employment and labor matters. Other large firms may represent large labor unions, like those in the car manufacturing industry
- ◆ Plaintiff's work in a labor and employment practice is typically carried on by small, boutique firms or by solo practitioners
- ◆ Public and private employers, such as schools, colleges and universities have in-house legal counsel departments
- ◆ Some labor and employment attorneys work as in-house counsel for large corporations
- ◆ Government agencies, like the Department of Labor, the Department of Justice, or the Department of Health and Human Services, are tasked with enforcing labor and employment laws and regulations. These agencies have large legal departments.

## Other ways to get into labor and employment law

- ◆ Clerk with a private firm that does labor and employment law
- ◆ Seek out externships or clerking opportunities with in-house counsel legal departments at AutoZone, FedEx, International Paper, or Memphis Light Gas and Water
- ◆ Participate on the Wagner Moot Court tem, which focuses on labor and employment issues to provide yourself with more in-depth exposure to specific labor issues
- ◆ The MALSI Consumer Unit Externship offers opportunities for students to see the labor and employment practice from the employee's perspective.

# Labor and Employment Law Resources



University of Memphis  
Law School  
Career Services Office

## Check out the American Bar Association

- ◆ The website for the Section of Labor and Employment Law for the American Bar Association can be found at: [https://www.americanbar.org/groups/labor\\_law.html](https://www.americanbar.org/groups/labor_law.html)
- ◆ The Section has promulgated some useful online resources for those wanting to learn the basics of employment law. Remember that ABA membership for law students is free! If you join the ABA, you can access the ABA's member-only content for the following subjects:
  - Equal Employment Opportunity
  - Fair Labor Standards Act and Family Medical Leave Act
  - National Labor Relations Act
  - Trade Secrets and Covenants Not to Compete

## Online Resources—Blogs

- ◆ Labor Employment Law Blog: Owned by the private firm Sheppard Mullin covering a variety of topics  
<http://www.laboremploymentlawblog.com>
- ◆ Workplace Prof Blog: Maintained by a number of law professors from a number of law schools  
[http://lawprofessors.typepad.com/laborprof\\_blog/](http://lawprofessors.typepad.com/laborprof_blog/)
- ◆ The Delaware Employment Law Blog: Most companies are incorporated in Delaware. This blog is published by the private firm Young Conaway Stargatt & Taylor, LLP  
<https://deemploymentlawblog.wordpress.com/>
- ◆ Screw You Guys, I'm Going Home: A blog about the legal ramifications of quitting a job  
<http://employeeatty.blogspot.com/>

## University of Memphis Law Library Resources

- ◆ Labor and Employment Law: A periodical that began in 1979 and is still in circulation  
Available in the basement of the law library
- ◆ International Labor and Employment Law—Phillip M. Berkowitz, editor  
Call No: K1705 .53 2008 v. 1 (Available on the 3rd floor of the law library)
- ◆ Vault Guide to Labor & Employment Law Careers—Timothy Grubb  
eBook
- ◆ Employee Benefits Law—Published by the Employee Benefits Committee Section of Labor and Employment Law  
Call No: KF3512 .E46 2012 (Available on the 3rd floor of the law library)
- ◆ Preparing an Employment Case for Trial—Carl A. Warns, Jr. Labor and Employment Law Institute  
Call No. KF8925.L33 C37 2000 (Available on the 3rd floor of the law library)