

Top 10 Workplace Law Developments to Expect Under President Trump

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Now that we know Donald Trump will return to the White House as President, it's time for employers to take a look at what they might expect during his second term in office. We have gathered insights from some of our firm's key thought leaders to provide their perspective on what President Trump will aim to accomplish when it comes to workplace law – and what employers can do to prepare. *And for further analysis, make sure to register for our complimentary [Fisher Phillips Post-Election Recap for Employers webinar](#) on November 13.*

Quick Word on What to Expect in D.C.

While Republicans will control the White House and the Senate, we'll likely remain unsure which party will control the House for several more days or weeks. Regardless of which side prevails, that party will hold the House by a razor-thin majority, making major and controversial legislation unlikely. Even if the Republicans hold the House, their narrow majority will be a barrier to enacting anything that peels away even a handful of moderates. And Republican control of the Senate needs to be tempered given the potential of a Democrat filibuster on certain controversial decisions, which could prove just as much of an obstacle.

1 Returning to a Level Labor Relations Playing Field

In an unexpected twist, Trump made repeated [appeals to organized labor on the campaign trail](#). Will those campaign overtures lead to more labor-friendly policies than we're used to seeing from Republican leaders in the White House? While we expect to see Trump's team float economic policies aimed at boosting the middle class, we still believe his administration will rebalance the scales when it comes to federal labor law policy and employers will generally have more leeway over the next four years.

- It takes time for new Board leaders to be installed by a new administration and begin to change policy, but we'll eventually see the Trump NLRB reverse efforts to smoothing the path for unions and union organizers. Labor advocates and unions have enjoyed the Biden administration's actions over the past few years – we've seen the agency [create a new standard](#) to make it harder for employers to enforce workplace

misconduct rules, change rules to [make it more difficult to decertify unions](#), [give the green light for third parties like union representatives](#) to accompany safety inspectors during facility walkarounds, [permit workers to promote political and social causes](#) on their workplace uniforms, and [create a new labor-friendly framework](#) for determining when employers are required to bargain with unions without a vote by employees – just to name a few. Expect to see these efforts wiped clean or reversed over time between 2025 and 2028.

- We can look to the past to see what to expect in the future. Just as Trump [rolled back the NLRB's "quickie election" rule](#) and issued rules that had made it easier for workers to undo union representation during his first term in office, we will see him do the same this time around.
- And just as [Biden fired Trump's NLRB General Counsel within hours of taking office](#), we expect Trump to jettison Jennifer Abruzzo as one of his first acts as President. For several years, she pushed an ambitious agenda – including wanting to [crack down on stay-or-pay provisions](#), [ban most non-compete agreements](#), and [make student-athletes employees](#). We'll probably see an equally ambitious appointee named by Trump who will work to undo much of the policy that GC Abruzzo pushed.
- From the legislative side, Vice President-elect JD Vance [introduced a bill earlier this year](#) this year in the Senate that would "give employees a voluntary opportunity to negotiate on their own terms and without fear of legal action or bureaucratic meddling, a practice currently prohibited by existing labor laws." It remains uncertain whether the new Congress would entertain such a proposal. Meanwhile, Trump vowed in 2020 to veto [the PRO Act](#) – a union wish list of goals wrapped up in one package – if it were to pass Congress. So don't expect that to see the light of day for the next four years.

What Should You Do? *Evaluate your workplace policies and training with counsel to align with the expected shift we'll soon start to see – but ensure compliance with recent NLRB decisions until then. Meanwhile, monitor potential legislative or administrative changes by making sure you are [subscribed to](#)*

[the FP Insight System](#). Finally, make sure you are aligned with your FP labor counsel when it comes to possible union organizing efforts during the waning days of labor-friendly policy.

2 Relaxed Workplace Safety Measures

Reversing course from the Biden administration, Trump will likely reduce government oversight on workplace safety issues. During his first term in office, Trump's administration [cut the number of inspectors](#) to the lowest amount in OSHA's history, declined to mandate employers to take any protective measures against COVID-19, and [rescinded part of the electronic recordkeeping requirements](#). Expect more of the same over the next four years.

- Rather than mandating specific standards for different categories of potential workplace danger, you can expect a Trump-led OSHA to enforce safety concerns using the OSH Act's General Duty clause.
- We also expect to see Trump ditch the "[union walkaround](#)" rule noted above.
- Finally, expect to see the [proposed heat safety rule](#) that is slated to take effect as soon as 2025 scaled back dramatically or scrapped altogether.

What Should You Do? [You can track the number of workplace inspections in your area and industry using FP's exclusive OSHA Inspections Tracker](#), as we expect to see those numbers drop. But you'll still need to ensure compliance with workplace safety laws. Consider reviewing your inspection readiness and strengthening workplace violence prevention measures to make sure you are in the best possible position.

3 Overtime Pay Hike Could Get Scaled Back

This one's tricky, because the rule to dramatically boost the number of workers eligible for overtime is set to kick in on January 1 – about three weeks before Trump takes office. So even if he opposes it, his ability to effect change is somewhat hampered.

To backtrack a bit and provide context, the Biden Department of Labor (DOL) passed a rule that [extends overtime coverage to about 4 million additional workers](#) by raising the salary threshold for the so-called "white-collar" exemptions. It rose to about \$44K on July 1, and is set to jump to nearly \$59k on January 1. Not to be overlooked, the total compensation threshold for the highly compensated exempt employees is set to increase to a whopping \$151,164 in 2025.

Looking to the past might offer a prediction on how Trump's DOL will treat this new rule. In 2017, the Trump administration effectively ensured that an Obama-era overtime rule that similarly aimed to significantly expand coverage never saw the light of day. It then [issued a new OT rule expanding overtime pay obligations but to far fewer workers](#) than what the Obama rule would have done. But

again, that Obama-era rule had not yet taken full effect when Trump first took office, which allowed his DOL to take broad action.

If the current OT rule takes effect as slated on January 1, it is unlikely that the Trump DOL will be able to take action to roll it back right away since administrative agencies need to follow time-consuming regulatory procedures before taking such sweeping actions. By the time the Trump DOL could take action, the wage hikes will have already kicked in and scaling back the salary threshold would have limited utility.

A more likely scenario: a court puts the OT rule on ice and it doesn't take effect on January 1 as scheduled, allowing the Trump DOL time to take action and either scrap or dramatically scale back the new salary threshold. We'll have to stay tuned to see how the court case shakes out over the next few months.

What Should You Do? *Keep track of the pending litigation to determine whether it will take effect on January 1 by [subscribing to the FP Insight System](#). But you can't plan= on the rule being stalled by litigation, so follow [this 10-step plan](#) to make sure you are prepared for it taking full effect. Also, make sure to take the changes into account [as you wrap compensation season](#)*

4 No (or Slight) Increases Federal Minimum Wage

While Vice President Harris backed a federal minimum wage hike from \$7.25/hour to \$15/hour during her campaign, we won't see such a dramatic push by President Trump in his second term. He made no move to increase the rate during his first term in office (it's remained at \$7.25/hour since 2009, in fact) – but what about this time around?

First and foremost, Trump would need the approval of Congress to carry out any federal minimum wage hike – so that must be taken into account before any other consideration.

Second, Trump criticized the idea of increasing the federal minimum wage as harmful to small businesses during his 2020 campaign. But the political winds have shifted a bit since then and Trump's 2024 campaign advanced a populist message aimed at garnering support from the working class. The [2024 GOP platform](#) on the Trump campaign's website, in fact, supports "raising wages." It would not be surprising to see a push for a slight increase to the federal minimum wage – but nowhere near \$15/hour.

Regardless of how this shakes out at the federal level, we can expect to see more states and localities implementing their own minimum wage hikes over the coming years. The majority of states now have laws imposing minimum wages well above the federal \$7.25 per hour rate, and numerous counties and cities have enacted similar measures. You can

track state and local minimum wage levels and more by visiting [our FP interactive heat maps](#).

What Should You Do? Focus on your state and local laws in order to keep pace with any minimum wage increase.

5 Support for No Taxes on Tipped Wages

On the campaign trail, Trump and Harris joined together in a rare moment of agreement by saying they would both support legislation that ends federal income taxes on tips for hospitality workers. Supporters say such a move would help employees take home more pay without forcing hospitality employers to increase base wages in the face of high inflation and low margins. Critics, however, say income-tax-free tips may drive base wages down, encourage customers to tip less, and cause a revenue shortfall for the federal government.

This campaign promise is a long way from becoming law – but [it had bipartisan support during campaign season](#), and we've already seen some movement in Congress on this issue. We'll stay tuned to see how federal lawmakers treat this issue now that campaigning is over.

What Should You Do? Hospitality employers should start thinking about how this change could impact your wage structure, tip pooling, policies on employees reporting the tips they receive, and other pay policies. You can get more information by [visiting the FP Tip Credit Toolkit](#). And you also should be tracking [legislative developments at state and federal levels regarding tip-credit rules and taxes on restaurant service fees](#).

6 Pay Data Collection Won't Get Resurrected

The Equal Employment Opportunity Commission (EEOC) has already announced it [seeks to revive "Component 2" pay data collection as part of your annual EEO-1 submission](#) – but there is little doubt the Trump administration will put an end to this initiative before it gets started.

The proposal would require employers to turn over information to the government about the wages they pay their workers and the number of hours worked. The EEOC (and others) would use this data to identify pay gaps, and then target specific employers to investigate alleged pay discrimination practices.

But in 2017, the Trump administration [dropped the very same revised EEO-1 report](#) the EEOC is now seeking to revive. At the time, officials cited concerns that the revised collection of information lacked practical utility, would be unnecessarily burdensome, and failed to adequately address privacy and confidentiality issues. It seems likely that Trump's position will remain the same this time around, especially given the trend against expansion of agency power we have seen take root in the past year.

What Should You Do? While the pay data collection initiative won't be resurrected, many pay equity initiatives have taken hold

across the country at the state level. Visit our [FP Interactive Pay Equity map](#) to track the specific laws that impact your business operations across the country. Also, don't expect the Trump EEOC to ignore pay equality issues altogether. Consider [taking these four steps](#) to ensure pay equity, level the playing field, and avoid significant penalties.

7 Expect Paid Leave to Remain a State Issue

The United States remains the only industrialized nation that doesn't provide a federal mandate ensuring workers have at least some paid time off to manage an illness or for the birth of a child. And Trump took a big step during his first term in 2020 by approving a law permitting federal employees to take 12 weeks of paid parental leave. When you combine those two facts with the notion that the Trump-Vance campaign targeted middle-class working voters as a key demographic, could we see the second Trump administration push for some sort of federal paid leave law?

While there appears to be some momentum for a bipartisan paid leave solution, we think it unlikely for any real momentum to develop. Similar to the minimum wage, this is an area where many employers are already facing a multitude of local and state paid sick leave requirements, and it seems likely that federal lawmakers will allow this issue to remain at the state level for the next several years.

What Should You Do? Expect to see an increase in the number of jurisdictions that will impose a paid leave requirement on businesses operating in their area. Track your local and state leave law requirements until you hear otherwise.

8 Immigration Reform Will Tighten Foreign Workforce Use

Immigration reform was a centerpiece of the first Trump administration and had a major impact on foreign nationals and U.S. employers – expect more of the same during round two.

We'll see the Trump administration curtail the reliance on highly skilled foreign workers, throwing roadblocks up for employers who rely on the H-1B visa program. We'll also see the administration raise the bar for issuing employment-based green cards and expand penalties for employers who harbor undocumented workers.

Trump has indicated an intent to carry out the largest deportation operation in U.S. history and to end programs like Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS) for several countries. These policies would have a significant impact on the available workforce, with DACA alone accounting for 500,000+ workers.

What Should You Do? Monitor possible immigration reforms that may impact hiring and employment practices, particularly in

industries relying on a foreign workforce. If your business relies on H-1B labor, stay tuned for potential changes to the program that could make things more challenging for you to bring aboard skilled labor from overseas. Start taking measures to tighten up your employment eligibility verification process to ensure that your business is not impacted by mass deportations. This is particularly important for industries that rely heavily on an unskilled labor.

9 Artificial Intelligence Given Free Rein at Federal Level

The Biden-Harris administration issued a [sweeping AI executive order](#) last year containing numerous items that could eventually impact the workplace – and Trump’s campaign platform promised to repeal it. Trump has described it as “dangerous” and a hinderance to innovation, so you can expect it to be scrapped early on in his second term.

He has not yet provided any details as to how he would approach AI issues – though he has spent a good deal of time appealing to tech leaders and seeking their campaign support, signaling an openness to fostering strong relations with the industry.

But even if we don’t see federal action at the agency or legislative level, we’ll start to see courts impose liability on employers, businesses, and AI developers for unintentional discrimination and other actions that run afoul of best practices. And we’ll see states begin to regulate AI as they watch D.C. punt the issue.

What Should You Do? *Stay ahead of the curve by reviewing [the DOL’s 10-step plan for ensuring you avoid AI discrimination](#), and then make sure you have your AI governance ducks in a row by reviewing [the first steps you should take](#) to adopt protective guardrails in your organization.*

10 Easier to Classify Workers as Independent Contractors

The next Trump administration will reverse President Biden’s efforts that made it harder for businesses to classify workers as independent contractors.

- Just weeks before President Biden took office in 2021, the Trump administration’s DOL finalized a new rule that would

have made it easier for businesses to characterize some workers as contractors for wage and hour purposes – [but then the Biden DOL froze it without it ever taking effect.](#)

- Similarly, the NLRB issued a decision last year to [make it significantly harder for companies to classify their workers as independent contractors for labor relations purposes.](#)

Trump’s current campaign has not yet provided any specifics for how his administration would approach the issue in 2025, but we feel confident we’ll see action on this issue in the next few years and see both the DOL and the NLRB reverse course once again.

What Should You Do? *Review your independent contractor classifications to determine whether they will shift under the expected changing federal standards, while evaluating all work arrangements that might fall under an “employee” designation. Prepare for potential shifts in compliance – but remain aware of state laws that could throw up additional roadblocks.*

Conclusion

Make sure to register for our complimentary [Fisher Phillips Post-Election Recap for Employers webinar](#) on November 13 to dive deeper into all these topics – and more.

We will continue to monitor developments and provide updates, so make sure you are subscribed to [Fisher Phillips’ Insight System](#) to get the most up-to-date information directly to your inbox. For more information, contact your Fisher Phillips attorney or the authors of this Insight.

Related Content

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- [Generative Artificial Intelligence \(AI\) Resource Kit](#)

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- [Independent Contractor Tests and Risks of Worker Misclassification](#)

State Law Surveys

- [Paid Sick Leave State and Local Law Survey \(Private Employers\)](#)

Sheila Abron, Partner, Fisher & Phillips LLP

Sheila Abron is a Partner in the Columbia office and Co-Chair of the Firm's Affirmative Action and Federal Contract Compliance Practice Group. She is committed to finding practical, real world solutions to her clients' employment law needs. She represents companies—large and small—as they navigate employment issues related to hiring, discipline, investigations, employment discrimination, unemployment, and other related issues. Sheila provides guidance to higher education institutions on Title IX Compliance and investigations. She has extensive experience providing compliance advice to federal contractors on affirmative action and OFCCP regulations and audits. Sheila also has extensive experience working on collective actions under the Fair Labor Standards Act (FLSA) and class actions under wage and hour state laws. Sheila also provides training for supervisors and managers on harassment, Equal Employment Opportunity (EEO) compliance, the Family Medical Leave Act, diversity and inclusion, and many other areas.

Sheila is involved in various professional and community activities. She is a past president of both the South Carolina Women Lawyers' Association (SCWLA) and the South Carolina Bar Young Lawyers (SCYLD) Division. She also serves on the Board of Directors for Columbia – Society for Human Resource Management (SHRM) and the board of the National Conference of Women's Bar Associations. Sheila is active in the Richland County Bar, American Bar Association, and is a member of the Junior League of Columbia.

Prior to attending law school, Sheila was a member of store leadership for a Fortune 500 retail company, providing employee supervision and managing a variety of employee issues related to wage and hour, workers' compensation, discrimination issues, performance management, and other personnel issues.

Steven Bernstein, Regional Managing Partner and Labor Relations Group Co-Chair, Fisher & Phillips LLP

Steve Bernstein is a distinguished labor relations attorney, representing employers in all facets of traditional labor and employment law. Steve co-chairs the firm's nationwide Labor Relations Practice Group and serves as Regional Managing Partner of the firm's Tampa office.

Over the past three decades, Steve has built an impressive practice dedicated to representing employers of all sizes in both the public and private sectors from the onset of union organizing and representation elections through the process of collective bargaining, grievance arbitrations, picketing activity, strikes and other work stoppages, and ensuing labor litigation before the National Labor Relations Board and the federal courts. Along the way, Steve has successfully handled hundreds of Unfair Labor Practice charges, securing favorable outcomes for clients across a multitude of industry sectors. He has also counseled a multitude of employers through the complex labor relations implications of mergers and acquisitions.

Steve believes in taking a proactive approach to positive employee relations by placing an emphasis on education and training. He regularly advises and assists clients in implementing programs surrounding effective human resources policies, minimizing the risk of operational disruption.

Steve is recognized as a highly qualified and skilled communicator, having authored numerous articles featured in firm publications. His insights provide valuable guidance on navigating the ever-changing landscape of labor relations and the shifting ideologies of the NLRB.

Kathleen McLeod Caminiti, Partner and Co-Chair, Wage and Hour Practice Group, Fisher & Phillips LLP

Kathie Caminiti is a partner in the firm's New Jersey and New York offices, and a co-chair of both the Wage and Hour and Pay Equity practice groups. She has extensive experience handling all aspects of employment litigation, including individual plaintiff discrimination claims, restrictive covenant litigation and wage and hour class and collective actions.

Kathie has successfully defended cases alleging civil rights violations, race, sex, age and disability discrimination, sexual harassment, whistleblowing, wrongful discharge and retaliation. She has also defended employers and financial institutions in Employee Retirement Income Security Act (ERISA) cases, including class actions, seeking severance, pension and health and welfare benefits.

Kathie has a sophisticated wage and hour practice and has distinguished herself in Fair Labor Standards Act (FLSA)/wage and hour litigation. As lead counsel, Kathie has obtained favorable outcomes for clients in various wage and hour matters, including class and collective actions arising under the FLSA and various state laws.

Benjamin Ebbink, Partner, Fisher & Phillips LLP

Benjamin M. Ebbink is a partner in the Sacramento and Washington D.C. offices, Co-Chair of the Government Relations Practice Group and Chair of the Staffing Industry Group.

With over two decades of experience in the intersection between labor and employment law and public policy, he focuses on legislation and regulations enacted at the federal, state and local levels. Benjamin assists employers with navigating evolving legislative and regulatory landscapes in a variety of areas.

Benjamin is a trusted advisor to the PEO and staffing industries, having worked on nuanced legal and regulatory issues affecting these industries for over two decades. In addition, he handles strategic initiatives aimed to provide top-shelf service to the unique needs of the firm's staffing clients. Benjamin is a frequent speaker on panels and conferences focused on issues that matter to both the PEO and staffing industries.

He is also a member of the firm's Artificial Intelligence Team, where he monitors the rapidly-developing regulation of artificial intelligence at the federal, state and local level.

Lonnie Giamela, Partner, Fisher & Phillips LLP

Lonnie Giamela is a partner in both the Los Angeles and Irvine offices and a co-chair of the firm's Pay Equity practice group. He represents a broad range of clients, from small businesses to national companies, in all sectors of manufacturing, retail, wholesale distribution, hospitality, education and the automotive industries.

Lonnie has handled a full range of labor and employment matters, from single-plaintiff to multi-plaintiff, in both federal and state courts in California, the California Court of Appeals, the California Supreme Court and the Ninth Circuit Court of Appeals. Lonnie has also handled arbitrations venued at the National Labor Relations Board, payroll tax audits before the Employment Development Department, unemployment insurance eligibility claims in the California Unemployment Insurance Appeals Board, administrative hearings before the Fair Employment and Housing Commission and multiple hearings at the California Division of Labor Standards Enforcement.

Lonnie also has extensive experience representing local, regional and national clients in class action wage-hour lawsuits as well as representative lawsuits brought under California's Private Attorneys General Act (PAGA), having handled more than 150 such matters across the country. Lonnie also has experience as lead counsel in two wage-hour class actions that have gone to trial.

Rick Grimaldi, Partner, Fisher & Phillips LLP

Rick Grimaldi is the author of *FLEX: A Leader's Guide to Staying Nimble and Mastering Transformative Change in the Workplace*. Based on his thirty years of working with employers large and small, Rick's influential work provides a blueprint for all employers to understand and navigate the incredible changes occurring in the workplace that impact everything from hiring to terminations, and all the issues that occur in between. By combining his labor relations skills, negotiating acumen, and employment counseling experience on behalf of his clients, Rick actively builds strong partnerships as both a legal counselor and trusted business advisor. Rick partners with his clients to help achieve their workplace goals by combining sound practical strategic advice with an understanding that business decisions are never made in a vacuum.

Rick has spent his career defending the interests of businesses around the world, achieving positive results for his clients in major discrimination litigation, union campaigns, collective bargaining and arbitrations, and at the same time working to help them be better employers, leading to more satisfied employees and ultimately increased employer success in the marketplace.

This practical approach to solving workplace challenges with his clients is a natural outgrowth of his experience leading an Employee Relations team as Director of Labor Relations for a large international technology company and his experience serving the citizens of Pennsylvania as Deputy General Counsel to Governor Tom Ridge and Chief Counsel of the Pennsylvania Department of Labor and Industry.

Marty Heller, Partner, Fisher & Phillips LLP

An experienced litigator and wage and hour guru, Marty Heller is a partner in the firm's Atlanta office and is a core member of the firm's Wage and Hour Practice Group. Marty brings together a combination of litigation abilities and detailed compliance knowledge to try to solve your wage and hour problems before they hit the media and your company's bottom-line.

Given his background, a significant portion of Marty's practice focuses on wage and hour law, including minimum wage, overtime, timekeeping, and exemptions under federal law. As a member of the Compensation Audit and Counseling Services team, Marty advises clients nationwide on preventive issues, representing employers in government investigations, and conducting compliance audits with respect to wage practices.

Marty also maintains a heavy litigation practice, defending complex employment matters and class or collective actions. He also is a frequent speaker on these issues, including seminars, webinars and industry events.

Marty also devotes much of his practice to providing effective and efficient general counseling to his and the firm's clients, with a focus on resolving difficult issues to avoid litigation. When litigation cannot be avoided, Marty defends clients in discrimination and harassment claims as well.

David Jones, Regional Managing Partner, Fisher & Phillips LLP

David Jones is the managing partner of the firm's Memphis office and co-chair of the firm's Immigration Practice Group. He practices exclusively in the area of immigration and related employment and compliance matters.

He represents clients in complex matters relating to both immigration benefits and enforcement and in proceedings before the Department of Homeland Security, the Department of Labor, the Department of Justice and the Department of State, as well as in matters related to citizenship status discrimination and export control compliance under the Export Administration Regulations (EAR) and International Traffic In Arms Regulations (ITAR).

David has extensive experience in assisting companies with hires or transfers of employees from outside of the U.S. in industries such as agriculture, automotive, banking and finance, chemicals, construction, energy, entertainment, healthcare, education, hospitality, information technology, insurance, logistics, manufacturing, mining, recycling, research, restaurant, retail and sports.

He is a regular author and conference speaker and has presented before numerous organizations including Association of Corporate Counsel, Society of Human Resource Management, NAFSA—Association of International Educators, National Association of Colleges and Employers, American Immigration Lawyers Association, and various Bar Associations. David also frequently participates in outreach programs educating the bar and public about legal issues through pro bono clinics, interviews, and seminars.

Braden Lawes, Senior Government Affairs Analyst, Fisher & Phillips LLP

Braden Lawes is a Senior Government Affairs Analyst in the firm's Washington, D.C. office and assists the Government Relations Practice Group in identifying and communicating federal and state policy changes that impact corporate counsel and their workplaces across the country.

Prior to joining Fisher Phillips, Braden was a Senior Government Affairs Associate for a government affairs firm in Washington D.C. where he managed a diverse portfolio of non-profit and trade association clients and tracked federal legislation in the transportation, cybersecurity, and healthcare sectors. In this role, he also guided companies through the often-complex federal appropriations process, organized congressional briefings to educate legislative staff on various policy matters, and drafted letters on clients' behalf to the Office of Management and Budget (OMB) and congressional committees.

Braden's experience also extends to the public affairs arena, where he worked as an Account Executive with a K Street-based communications firm and a Digital Fellow on a political campaign in Virginia. He recently completed his Master of Professional Studies in Legislative Affairs from George Washington University's School of Political Management and is an active member of the James Madison University Political Science Alumni Board.

Todd Logsdon, Partner, Fisher & Phillips LLP

Todd Logsdon is a partner in the firm's Louisville office and co-chair of the firm's Workplace Safety and Catastrophe Practice Group. His practice is devoted to advising and representing employers regarding labor and employment law matters. Todd is a key contributor to Fisher Phillips' COVID-19 Task Force and has assisted employers with successfully navigating workplace employment and safety issues throughout the pandemic.

Todd is regarded as a leader and trusted advisor on Occupational Safety and Health Administration (OSHA) issues throughout the nation and across various industries, including manufacturing, healthcare, construction and utilities. He has extensive experience contesting and litigating OSHA citations, representing employers during OSHA inspections/investigations, conducting OSHA compliance audits, defending whistleblower/retaliation claims as well as providing OSHA compliance advice to clients. He also regularly handles employment disputes such as discrimination, Family and Medical Leave Act (FMLA), wage and hour and covenants not to compete on behalf of his clients. His practice includes the defense of employment-related claims before federal and state courts and administrative agencies, as well as counseling and training clients on day-to-day compliance issues and litigation avoidance. Todd accrued many years of practical experience prior to beginning his legal career working in manufacturing with responsibilities for Human Resources and Safety. He is licensed to practice in both Kentucky and Indiana, a board member of The Kentucky Chamber Center for Policy and Research, is a former board member of the Boys and Girls Club of Kentuckiana, has served as the Southern Indiana SHRM president and is an alum of Leadership Southern Indiana.

Known for his steadfast dedication to his clients and his excellent responsiveness, Todd was selected as a BTI Corporate Client All Star in 2020. He speaks and writes frequently on safety and health issues to several organizations and publications including the American Society of Safety Professionals, Construction Executive, Kentucky Association of Manufacturers, Kentucky Chamber of Commerce OSH Management Conference, Bluegrass Automotive Manufacturers Association, EHS Today, Occupational Health & Safety and SHRM groups. Todd has been quoted in *The Wall Street Journal*, *Business Insurance* and *Bloomberg Law*. He has been listed as a Kentucky Super Lawyer since 2014 and in *The Best Lawyers in America* 2019 – 2021 and was named among "20 People to Know in Law" by *Louisville Business First* in 2021.

Todd A. Lyon, Partner, Fisher & Phillips LLP

Todd Lyon is the co-chair of the firm's Labor Relations Practice Group and practices throughout the West Coast. He has been a labor lawyer for over 25 years, representing public and private sector employers in labor negotiations, collective bargaining, grievance and interest arbitrations, strikes/lockouts, relocation and closures, work jurisdiction disputes, and other litigation involving employment law and benefits.

Todd formerly represented labor organizations in both Chicago and Seattle. Drawing from this union-side experience, Todd provides a unique perspective to the advantage of his employer clients. His practical and efficient approach allows him to help clients reach their goals without creating a wake of destructive relations.

If litigation is required, however, Todd has obtained superior results in hundreds of arbitrations concerning virtually every aspect of contract interpretation, discipline, union security, and interest arbitration. Relatedly, Todd has conducted labor board hearings and federal litigation concerning representation, unfair labor practices, work jurisdiction disputes, sympathy strikes, federal labor preemption, and unit clarifications.

Joshua D. Nadreau, Regional Managing Partner and Vice Chair, Labor Relations Group, Fisher & Phillips LLP

Joshua Nadreau is a labor and employment litigation attorney in the Boston office and Vice Chair of the Labor Relations Group.

Working with clients in New England and throughout the country, Josh routinely advises and represents clients in collective bargaining, arbitration proceedings, and before state and federal administrative agencies. His litigation practice focuses on class and collective wage and hour litigation. Josh also advises clients on compliance with state and federal leave laws, restrictive covenants, and matters concerning allegations of employment discrimination.

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