



PIERCE DAVIS & PERRITANO LLP

Our attorneys have extensive experience representing municipalities, governmental entities and private employers in all aspects of employment law including wrongful termination, discrimination and sexual harassment litigation.

The firm has defended employers against claims under all state and federal employment laws, including Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans With Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), the Fair Labor Standards Act, the Massachusetts Whistleblower's Act, and other employment-related laws. We practice in both state and federal courts, as well as state and federal administrative agencies (MCAD and EEOC).



LITIGATION EXPERIENCE

PDP has successfully defended the following claims:

Sexual Harassment – A female public school teacher alleged that, after she and a male co-worker ended their two and one-half year extra-marital affair, her former lover sexually harassed her through his repeated and inappropriate attempts to rekindle the relationship. Plaintiff further alleged her employer retaliated against her for coming forward to complain of the harassment.

Racial Discrimination – An African-American truck driver employed in a municipal DPW garage claimed his white co-workers called him racial slurs, intentionally dumped moist garbage on him while seated in his truck, told him to “smile” so they could see him, and made other racially derogatory remarks within the workplace.

Gender Discrimination – A female engineer laid off because her municipal employer claimed only two engineers, not three, were necessary due to the economic climate, sued her employer alleging gender bias.

Disability Discrimination – A police captain passed over for promotion claimed disability discrimination due to his cancer treatments.

Whistleblower Retaliation – A public school administrator claimed she was retaliated against for providing information to local, state, and federal agencies concerning alleged violations of law when her employer removed vinyl asbestos tiles from school hallways.

Same-Sex Harassment – A male police dispatcher subjected to jokes, bantering and other horseplay within the police station, claimed he was the victim of a sexually hostile work environment.

USERRA - Returning Soldier – A soldier returning from Iraq, who had previously taken the civil service exam, brought suit under the Uniformed Services Employment and Reemployment Rights Act of 1994, claiming the defendant municipality should have hired him, given him step raises and a promotion, and waived the statutory probationary period.

EMPLOYMENT LAW COUNSELING EXPERIENCE

- ▶ Assessing and minimizing the risks of terminations and other employee disciplines
- ▶ Ensuring compliance with the FMLA, the ADA, and other federal and state employment statutes
- ▶ Responding to claims of workplace harassment, discrimination and retaliation
- ▶ Conducting thorough and appropriate workplace investigations
- ▶ Drafting employment applications, employee handbooks, employment agreements and other policies designed to avoid litigation
- ▶ Designing religious and spiritual accommodations for employees, without compromising a client's legitimate business needs
- ▶ Training and conducting seminars for human resource managers, personnel directors, supervisors and employees

PIERCE DAVIS & PERRITANO LLP

We have defended more than 300 cities, towns, counties and school districts in Massachusetts and Rhode Island, as well as their officers and employees in actions arising out of the performance of public duties, including those duties involving land management, zoning, planning, public works, police protection and student discipline.

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