

Transportation & Logistics Worker Pay Concerns

Driving Risk Mitigation Through Compliance with Pay, Overtime Pay, and Timekeeping Laws by Experience-Based Pay Practice Assessments and Tactical Litigation Avoidance

Lawsuits involving workers' classification, pay, and working hours continue to increase nationwide, costing the Transportation & Logistics industry tens of millions of dollars in verdicts and settlements. Seyfarth Shaw's Transportation & Logistics Team is comprised of preeminent attorneys across the country who are fighting to stop that cost. Our lawyers regularly advise and represent clients in all aspects of labor and employment matters affecting independent contractors and employees in the industry, from motor carriers to warehouse operators, and companies with trucking divisions. We understand and appreciate the unique labor and employment issues facing this industry as it develops through the 21st Century and adapts to changing laws, rules, and regulations.

Among the best defenses against this surge of "wage and hour" litigation exposure can be the assessment and, where necessary, the revision of classification, pay, and timekeeping policies and practices to ensure compliance with federal and state laws BEFORE a lawsuit is filed. Our skilled lawyers focus on providing practical, real-world compliance solutions in all situations, whether that be attorney-client privileged advice and counsel regarding the complicated interplay between DOL and DOT regulations or our careful representation of businesses defending administrative agency proceedings, single-plaintiff cases, and class and collective actions.

Compliance assessments can be complicated and, at times, daunting because of factors that include: the types of practices and policies to be reviewed, the numbers and types of workers they govern, the geographical dispersion of those workers and the business operations that they support, and many others. Our team is particularly well suited to help businesses address these wage and hour issues specific to the Transportation & Logistics industry, including:



How to operate in a post-*New Prime* world after the U.S. Supreme Court made clear that transportation workers engaged as independent contractors cannot be forced to arbitrate wage and hour claims under the Federal Arbitration Act. We can help review, revise, or implement arbitration agreements in light of *New Prime*.



How to reduce the risk of claims made by drivers and other transportation and logistics workers for allegedly unpaid overtime.



How to address proactively questions concerning the lawfully classification of workers as independent contractors.



The most effective process for conducting worker classification, pay, and timekeeping reviews that include the assessment of compliance with federal and state laws governing, among other things, regular rate and overtime pay, minimum wage, uncompensated work periods, pooling and distribution of gratuities, meal breaks, the timeliness of wage payments, vacation pay, and Sunday and holiday premium pay.



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