



## LABOR AND EMPLOYMENT OVERVIEW

As the Commonwealth's most experienced public sector law firm, KP Law, P.C. provides a full range of services in the areas of labor, employment, discrimination, and related litigation. We are the largest provider of public sector labor services in the Commonwealth. In addition to the over 100 cities, towns, and school districts where the firm serves as Labor Counsel, we provide collective bargaining, labor relations, and employment discrimination legal services to numerous other communities, county-level governments, state and public agencies, housing and transit authorities. We also provide a full range of labor/employment related defense for public employers in connection with our representation of a large municipal insurer.

While we are committed to the practice of preventative law, we are prepared to vigorously represent our clients, when necessary, in state and federal courts and other venues. Our attorneys are dedicated to achieving the best results for our clients, whether through hard-fought trials or negotiated settlements, and we do so with sensitivity to the financial costs that can result from protracted litigation. Seasoned litigators at the firm specializing in labor/employment law represent clients in all forums in which such matters are heard, including the Department of Labor Relations (DLR), Massachusetts Commission Against Discrimination (MCAD), American Arbitration Association (AAA), Civil Service Commission (CSC), and the Joint Labor Management Committee (JLMC).

Collectively, our labor and employment attorneys regularly:

- Advise clients regarding developments in employee health insurance and other benefits, including implementation of municipal health insurance reform
- Negotiate collective bargaining agreements as either sole negotiator or as part of a collaborative negotiating team
- Negotiate non-union employment contracts and advise public sector authorities on the implementation of the agreements
- Counsel clients regarding employee hiring and termination
- Represent employers in disciplinary, grievance, and arbitration proceedings, including Civil Service proceedings
- Conduct or provide advice as to internal investigations, for example, claims of workplace discrimination
- Protect the municipality's interests in unemployment claims
- Represent public sector employers/management before state and federal courts, as well as administrative agencies
- Conduct training sessions on labor and employment matters, including sexual harassment prevention training
- Monitor and counsel clients regarding developing law across a wide area of interest to public sector employers, such as health insurance, FLSA, FMLA, ADA, ADEA, Title VII, and G.L. c. 151B
- Advise clients on and draft personnel policies, job descriptions, and other employment documents
- Counsel clients on CORI question



## **DARREN R. KLEIN**

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**Practice Areas:** General Municipal, Employment & Labor, School/Education, Litigation

Attorney Darren Klein provides municipalities and school districts with legal representation, counseling and assistance in all facets of employment and labor law, school law, collective bargaining, and general municipal law. He represents clients before state and federal courts, labor arbitrators, retirement boards and numerous administrative agencies on such issues as: employment discrimination; wrongful termination; organizing petitions; unfair labor practices; health insurance; employee discipline; and contractual grievances. Attorney Klein also assists clients at all stages of negotiating collective bargaining and individual employment contracts, including serving as the lead negotiator for employers in a wide range of union negotiations. Attorney Klein provides proactive counseling, including drafting and implementing policies meant to maintain a diverse, non-discriminatory and efficient workplace encouraging and allowing for optimal job performance and production.

Before joining the firm, Darren served as staff counsel to AFSCME Union-Council 93, Boston, MA where he represented members of a statewide public sector union in all areas of employment and labor law. Darren's duties involved employment litigation, counseling on all labor issues, and collective bargaining, including arguing before various courts, Massachusetts Commission Against Discrimination, Labor Relations Commission and National Labor Relations Board.



## **JOSEPH S. FAIR**

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**Practice Areas:** Labor & Employment, Litigation, General Municipal

Attorney Joseph S. Fair possesses more than 16 years of experience in labor and employment law and represents municipal clients in all aspects of the employer/employee relationship in a variety of forums including state and federal court, Joint Labor Management Committee, Department of Labor Relations, Civil Service Commission, Massachusetts Commission Against Discrimination, Division of Unemployment Assistance and arbitration. He drafts and negotiates collective bargaining agreements, employment contracts and settlement agreements; drafts and responds to discovery requests, dispositive motions and other pre-trial matters; conducts and defends depositions; drafts appellate briefs; and delivers arguments at various stages of litigation. Attorney Fair has advised and counseled clients on a variety of other labor and employment matters including hiring practices, employee discipline, wage and overtime issues, FMLA leave, collective bargaining obligations, and management rights. Attorney Fair is also well-versed in the Open Meeting Law, Conflict of Interest Law and Public Records Law which statutes are frequently implicated in connection with the employer/employee relationship.

Attorney Fair has a well-rounded background in labor and employment law having represented public employers, labor unions, and individual employees at the various stages of his legal career. Prior to joining KP Law, he was an associate for nearly six years at a Boston labor and employment law firm where he represented labor unions and individuals in litigation and collective bargaining matters which experience has provided him with invaluable insight into the labor/management relationship from an alternate perspective.