



Employment Counseling, Compliance & Training

Masuda Funai is dedicated to creating and implementing human resource programs, policies and procedures to prevent problems and mitigate risks. These “best practices” are grounded in sound policies and procedures designed to avert disputes before a problem can arise. We advise clients on the day-to-day issues pertaining to employee recruiting, retention, performance evaluation, discipline, termination, safety and union avoidance. We carefully navigate our clients through staff reductions, separations and terminations due to misconduct, poor performance, layoffs and early retirement.

Our firm advises employers on disability accommodations, requests for leave, as well as resolving issues of discrimination, harassment, retaliation, employee misconduct, immigration compliance, social media, and privacy matters. Our employment lawyers partner with the firm’s corporate group to assist with due diligence, drafting executive employment agreements and avoiding successorship issues relating to litigation as well as union representation. We offer answers to the everyday questions that arise in the course of human resource management on challenges involving worker classifications as employees or independent contractors or exempt or non-exempt, harassment, internal investigations, stock option plans, leaves of absence, affirmative action. In addition, we advise on the regulations and agencies that govern human resources, including the federal Equal Employment Opportunity Commission, state fair employment practices agencies, federal and state departments of labor, the Occupational Safety & Health Commission and the National Labor Relations Board.

In order to ensure our clients’ workforce policies and practices comply with constantly changing local, state and federal employment laws, maximize employee performance and morale, and minimize the risk of litigation, we routinely review, audit and revise individual policies, employee handbooks, procedural manuals, and clients’ record-keeping practices. Our attorneys audit client employment procedures and records, including recruitment, performance management, discipline and terminations, immigration/I-9 compliance, policies and union avoidance. We provide practical legal counsel with regard to improving compliance with state and federal laws, maximizing employee performance and morale, and minimizing the risk of litigation.

We also offer training to supervisors and managers on a variety of employment-related issues, such as drafting and implementing ethical codes of conduct, understanding cross-cultural issues in a diverse workforce, preventing harassment and discrimination, union avoidance, responding to employee performance problems, working with ill, injured and disabled employees and complying with wage and hour rules. By engaging supervisors and managers in interactive training and ongoing education, our clients effectively reduce their potential liability. Along with training supervisors and managers, training employees regarding harassment helps provide an affirmative defense to companies when lawsuits are filed against them.