

CAPABILITIES

## Labor and Employment Counseling and Litigation

The Employment Law Division at Martin, Disiere, Jefferson & Wisdom, houses dedicated attorneys who provide comprehensive representation to employers across all aspects of employment law. With diligence, grace, and expertise, we handle complex employment litigation in both state and federal courts throughout Texas. Our commitment extends to representing clients before various governmental agencies, including the EEOC, TWC, DOL, OSHA, and the NLRB.

### What Sets Us Apart:

1. **Litigation Excellence:** Our employment law attorneys are adept at navigating the intricacies of employment litigation. With a sharp focus on achieving favorable outcomes, we approach each case with a steadfast commitment to protecting our clients' interests.
2. **A Multifaceted Approach:** Beyond litigation, we take a proactive approach to counsel our clients on various employment-related issues. From termination matters to drug and alcohol policies, employee safety concerns, employment contracts, handbooks, policies, leaves of absence, hiring, promotions, and training, our advice is comprehensive and tailored to each client's specific needs.
3. **Agency Advocacy:** Our experienced attorneys confidently represent clients before governmental agencies, ensuring compliance and effective resolution of employment-related disputes.
4. **Preventative Strategies:** We believe in preventing potential legal issues before they arise. Through careful guidance and proactive measures, we aim to equip our clients with the knowledge and tools they need to maintain a legally compliant and harmonious workplace.

At Martin, Disiere, Jefferson & Wisdom, our employment law team stands ready to champion your interests with an unwavering dedication to excellence. Whether you require litigation representation, counsel on employment matters, or assistance before governmental agencies, we are here to guide you with skill, compassion, and an unwavering commitment to your success.

### Practice Contacts

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### Attorneys

Kevin Cain

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### Areas Of Concentration

Alternative Dispute Resolution  
(Labor & Employment)

Arbitrations under Individual and  
Collective Agreements

Civil Rights Claims

Class and Collective Actions

Client Seminars and Supervisor  
Training

Common Law Claims

Department of Labor  
Investigations / Wage and Hour  
Disputes

EEOC / Civil Rights Division  
Investigations

Employee Benefits and ERISA

## Cases

**After NLRB Trial, Judge Rejected NLRB's Contention that Former Employee Was Wrongfully Terminated, Refusing Back Pay, Front Pay, & Reinstatement, Resulting in Complete Victory for client**

Jun 2023

**Recovered significant sums from former third party administrator for its handling of client's employee health insurance program leading to large loss claims**

Aug 2022

**Obtained victory after jury trial on FLSA overtime claims, including securing a finding that the fluctuating workweek method applied**

Jun 2022

**Secured temporary restraining order and other injunctive relief on behalf of former employer**

May 2022

**Secured dismissal of employment breach of contract and defamation claims brought against former executive with no consideration paid by executive**

Nov 2021

**Secured dismissal of FLSA misclassification claims against employer client without any consideration paid by client**

01 Jul 2021

**Secured complete summary judgment against oilfield services company for race discrimination and retaliation**

Aug 2020

**Defeated multiple applications for temporary restraining order filed by competitor against former employees and new employer.**

**Obtained dismissals of EEOC and other administrative charges**

## News

**18 MDJW Attorneys Listed in the Best Lawyers in America Rankings 2024**

Firm News, 23 Aug 2023

**2023 Q2 Performance Report**

Firm News, Jul 2023

Employee Discipline  
Employment Contracts  
Employment Documents and Policies  
Executive Compensation  
Human Resource Counseling  
Human Resource Training  
Leaves of Absence  
National Labor Relations Board Issues  
Non-Competition and Confidentiality Agreements  
Occupational Safety and Health Administration Claims  
Organized Labor  
Privacy and Confidentiality  
Sarbanes-Oxley and Other Whistleblower Claims  
Security Compliance and Employee Screening  
Sexual Harassment  
Texas Workforce Commission Claims