Employment Litigation

Early risk assessment is a crucial component of risk management. Cosgrave's labor and employment lawyers help clients identify and, when possible, prevent problems before they happen.

Collectively, we have more than 50 years of experience in helping clients manage employment relationships, combined with extensive trial experience. We provide strategic representation that gets pragmatic results.

When necessary, Cosgrave is ready and able to litigate all types of discrimination claims under state and federal laws, as well as claims of wage and hour violations, FMLA and OFLA violations, sexual harassment, wrongful discharge, and retaliation. We also assist with employment-related issues such as privacy, defamation, public accommodations, and interference with contract.

We've represented a broad range of employers before state and federal courts and administrative agencies, the Equal Employment Opportunity Commission, Oregon Bureau of Labor and Industries, and the Occupational Safety and Health Administration. We are skilled in alternative dispute resolution, such as arbitration and mediation, and our appellate lawyers are available at all times for consultation or to take a case to the next level.

Cosgrave's employment law group also advises employers on a wide variety of workplace issues, such as hiring and firing, discipline, employee handbooks, training, and all types of employment agreements. This in-depth understanding of our clients' businesses equips us to represent their interests efficiently in the courtroom as well as the boardroom.

Representative Cases

- Successfully tried an employment case to verdict involving claims of retaliatory discharge for filing an injury report.
- Obtained a favorable settlement in a federal whistleblower law claim filed before OSHA.
- Represented a trucking company in resolving a trade secret dispute with a former employee.
- Tried a wrongful discharge case for several days until plaintiff accepted an offer to settle the case at the same amount plaintiff was offered before trial.
- Negotiated and obtained favorable settlements in multiple cases involving

INDUSTRIES

Construction

Financial Services

Healthcare

Hospitality

Insurance

Manufacturing

Professional Services

Railroad

Real Estate

Trucking and Motor Carrier

ATTORNEYS

Paul A. C. Berg

Amber A. Beyer

Shane P. Swilley

Katlynn M. Backus

Jordan F. Clark

Katie R. Conzonire

Matthew R. McMillen

claims of state law retaliation, ADA violations, discrimination claims, FELA, LIA, SAA, FMLA/OFLA and other related claims.

- Claims of discrimination, retaliation, sexual harassment, civil rights, breach of employment contract, unpaid wages, and wrongful discharge.
- Assisting with state agency investigations and hearings.
- Breach of fiduciary duty.
- Interference with economic relations.
- Misappropriation of trade secrets.
- Successfully defended an employer against a meritless claim of wrongful discharge and unpaid wages by getting the claims dismissed at the beginning of the case; resulting in significant cost savings to the client.
- Assisted in defending an employer against claims of unlawful discrimination and retaliation. The discrimination claims were dismissed as a matter of law before trial, and the remaining claims were tried to a defense verdict.
- Successfully represented clients in disputes involving non-competition agreements, breach of employment contracts, and claims of misappropriation of trade secrets and confidential information.
- Obtained jury verdict for employer on claims of sexual harassment, gender discrimination, and retaliation seeking $4.5 million in damages.

Affiliations

- ALFA International Labor & Employment Practice Group
- American Board of Trial Advocates
- American College of Trial Lawyers
- American Short Line and Regional Railroad Association
- Association of Legal Administrators
- Defense Research Institute
- Federation of Defense & Corporate Counsel

- Litigation Counsel of America
- National Association of Railroad Trial Counsel
- Oregon Association of Defense Counsel
- Oregon State Bar Labor and Employment section

Newsletters

- 2nd Quarter 2017 Cosgrave Employment and Business Law Newsletter
- 1st Quarter 2017 Cosgrave Employment and Business Law Newsletter
- 3rd Quarter 2016 Cosgrave Employment and Business Law Newsletter
- 1st Quarter 2016 Cosgrave Employment and Business Law Newsletter
- 2nd & 3rd Quarter 2016 Cosgrave Employment and Business Law Newsletter
- 1st Quarter 2015 Cosgrave Employment and Business Law Newsletter
- 4th Quarter 2014 Cosgrave Employment and Business Law Newsletter
- 3rd Quarter 2014 Cosgrave Employment and Business Law Newsletter
- 1st & 2nd Quarter 2014 Cosgrave Employment and Business Law Newsletter
- 4th Quarter 2013 Cosgrave Employment Law Newsletter
- 3rd Quarter 2013 Cosgrave Employment Law Newsletter
- 2nd Quarter 2013 Cosgrave Employment Law Newsletter
- 1st Quarter 2013 Cosgrave Employment Law Newsletter
- 4th Quarter 2012 Cosgrave Employment Law Newsletter
- 3rd Quarter 2012 Cosgrave Employment Law Newsletter
- 2nd Quarter 2012 Cosgrave Employment Law Newsletter
- 1st Quarter 2012 Cosgrave Employment Law Newsletter
- 3rd Quarter 2011 Cosgrave Employment Law Newsletter