

## Brian M. Hentosz

Shareholder

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## Focus Areas

Class Action  
Labor Management Relations  
Litigation and Trials  
Wage and Hour  
Business Restructuring and M&A  
Energy  
Hospitality  
Retail

## Overview

Brian M. Hentosz represents employers in wage and hour litigation and traditional labor matters throughout the country.

In his wage and hour practice, Brian represents employers in class and collective actions brought under the Fair Labor Standards Act and state wage and hour laws. He has defended employers in the construction, energy, financial services, restaurant, retail, sports and entertainment, and transportation industries. He has significant experience defending against allegations of:

- Exemption misclassification
- Unpaid overtime
- Off-the-clock, preliminary and postliminary unpaid time, and meal and rest break violations
- Independent contractor misclassification
- Unlawful tip pooling, tip sharing, and tip credit practices

Brian's traditional labor practice focuses on:

- Proceedings before the National Labor Relations Board and the Pennsylvania Labor Relations Board

- Collective bargaining
- Grievance arbitrations
- Labor contract administration
- Strikes and picketing
- Union election campaigns
- Corporate transactions

Additionally, Brian regularly counsels clients on labor and employment compliance issues, including:

- Employee handbooks and policies
- Discipline and termination issues
- Wage and hour compliance
- Union avoidance
- Implementing lawful reductions-in-force
- Conducting investigations
- Severance agreements

Brian served as the symposium editor of the *Tulane Law Review*. Prior to attending law school, he worked in the planning and allocation department at the corporate headquarters of a large retailer. As an undergraduate, he was a member of the Villanova football team.

## Professional and Community Affiliations

- Member, Central Catholic Lettermen's Club
- Member, Big 33 Scholarship Foundation, Inc.

## Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2022
- Order of the Coif
- Omicron Delta Epsilon
- Recipient, CALI Award in Constitutional Criminal Procedure

## Education

J.D., Tulane University Law School, 2013, *summa cum laude*

B.A., Villanova University, 2008

## Bar Admissions

Pennsylvania

## Courts

U.S. Court of Appeals, 2nd Circuit  
U.S. Court of Appeals, 3rd Circuit  
U.S. District Court, Western District of Pennsylvania  
U.S. District Court, Southern District of Texas

## Publications & Press

### **Littler Elevates 33 Attorneys to Shareholder**

*Littler Press Release*  
January 6, 2022

### **Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Littler Press Release*  
August 19, 2021

### **DOL Issues Opinion Letter Addressing Requirements of the “Amusement or Recreational Establishment” Exemption**

*Littler ASAP*  
January 19, 2021

### **Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Littler Press Release*  
August 20, 2020

## Speaking Engagements

### **Taking the Labor World by Storm: Aftermath of 2023 NLRB Decision Blitz and Dark Clouds on the Horizon**

Pittsburgh, PA  
October 24, 2023

### **The Littler Pennsylvania Report: Important Updates for Pennsylvania Employers in 2023**

Pittsburgh, PA  
February 28, 2023

### **Are White-Collar Exemptions Being Met?**

Lorman Education Services Webinar  
September 30, 2021

### **Elections Matter: An Update on the Impacts of the 2020 Election**

Pittsburgh, PA  
February 3, 2021

**COVID-19 Guidance for Employers: Updates and Practical Tips**

June 2, 2020

**Labor Law Update: The Trump Board Impact of the Changing of the Guard at the NLRB and What it Means for Nonunion and Union Employers**

Pittsburgh, PA

January 24, 2019

**The Hottest Labor and Employment Developments of 2015**

Pittsburgh, PA

November 4, 2015

**Books & Book Chapters**

- Picketing for Organization and Recognition, The Developing Labor Law, Chapter 21, *ABA Section of Labor and Employment Law*, Chapter Contributing Editor, 2018-2019