



## Christopher Michalski

Shareholder

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### Focus Areas

Wage and Hour  
Discrimination and Harassment  
Litigation and Trials

### Overview

Christopher Michalski has been practicing employment law for his entire career. Since about 2010, Chris began to focus his practice on representing employers in collective and class actions brought under the federal Fair Labor Standards Act and state wage and hour laws. He has defended employers in the oil and gas, energy, staffing, retail, manufacturing, and restaurant industries in federal and state courts across the United States. Chris has significant experience defending against claims for overtime (based on numerous theories including improper payment of day rate, improper payment of a salary, failure to pay overtime – so-called straight time for all time, exemption misclassification, off-the-clock work, overtime rate calculation, and more recently, COVID-19 screening time), misclassification of independent contractors, minimum wage, improper payment of tip-credit, and meal and rest breaks.

Chris' complex and detailed strategies related to certification in putative nationwide collective actions has led to favorable results and outcomes for employers. In addition, Chris' strategies related to data collection and analysis has created significant advantages for employers particularly in mitigation of damages which have led to favorable resolutions.

In addition to his practice defending and advising employers with respect to wage and hour litigation and compliance, Chris continues to also represent employers in a variety of single plaintiff claims including claims involving race, age, gender, and disability discrimination, harassment, retaliation, breach of contract, negligent hiring and supervision, intentional and negligent infliction of emotional distress, and wrongful termination.

Although Chris' practice is primarily as a litigator, Chris counsels clients in all aspects of employment law. Chris assists his clients and counsels them regarding hiring, discipline, and terminations, policy creation and implementation, supervisor and management training, compensation plans, accommodations, and employment practices audits.

Prior to attending law school, Chris worked in Human Resources for nearly five years in the manufacturing and healthcare industries in both union and nonunion environments. His experience in those roles ranged from local onsite management to regional management of several facilities. Chris' experience as an HR professional helps guide his advice and counseling to his clients. Over the years, Chris has been able to blend his experience in HR and his nearly two decade employment law practice to provide clients with effective, business oriented, and practical legal advice.

## Professional and Community Affiliations

- Member, Pittsburgh Human Resources Association
- Member, Allegheny County Bar Association
- Counsel Member, Employment and Labor Section, Allegheny County Bar Association

## Education

J.D., Duquesne University School of Law, 2004, *magna cum laude*

B.S., King's College, 1997, *summa cum laude*

## Bar Admissions

Pennsylvania

## Courts

U.S. Court of Appeals, 3rd Circuit

U.S. District Court, Western District of Pennsylvania

U.S. District Court, Middle District of Pennsylvania

U.S. District Court, District of Colorado

## Publications & Press

### **DOL Addresses Independent Contractor Status of Tractor-Trailer Drivers under FLSA in Final Flurry of Opinion Letters**

*Littler ASAP*

January 20, 2021

### **Littler Elevates 28 Attorneys**

*Littler Press Release*

January 2, 2019

**Pennsylvania Department of Labor and Industry Proposes Amendments to the State's White Collar Exemption Regulations**

*Littler Insight*

June 14, 2018

**Annual Report on EEOC Developments - Fiscal Year 2013**

*Littler Report*

January 22, 2014

**Annual Report on EEOC Developments – Fiscal Year 2012**

*Littler Report*

January 8, 2013

**Speaking Engagements**

**Perils in Pennsylvania? A review of recent wage and hour developments affecting employers in Pennsylvania**

Marcellus Shale Coalition Annual Meeting

June 8, 2022

**COVID-19's Litigation Aftermath: Preparing for the Coming Wave of Legal Claims**

September 17, 2020

**A More Aggressive DOL – Are you ready for the significant wage and hour regulatory changes and an increased enforcement presence?**

Pittsburgh, PA

April 21, 2015