



## Matthew G. Gallagher

Shareholder

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### Focus Areas

Discrimination and Harassment  
Hiring, Performance Management and Termination  
Background Checks  
Wage and Hour  
Class Actions  
Emerging Technologies and Venture Capital

### Overview

Matthew G. Gallagher represents employers in federal and state courts, as well as in proceedings before administrative agencies such as the Equal Employment Opportunity Commission and National Labor Relations Board, in a broad range of labor and employment law matters. He has significant experience representing management clients in the healthcare, hospitality, manufacturing and transportation industries. In his litigation practice, he regularly handles matters involving:

- Discrimination and harassment claims
- Wrongful discharge and related state tort claims
- Unfair competition and trade secret issues
- Wage and hour issues
- Unfair labor practices

Matt also conducts employee and supervisory training programs and counsels employers with regard to hiring, performance management, improving employee morale, strengthening relationships between management and employees, and implementing union-free initiatives.

### Professional and Community Affiliations

- Member, Labor and Employment Section, Tennessee Bar Association

- Member, Labor and Employment Section, Memphis Bar Association
- Member, Labor and Employment Section, American Bar Association
- Member, New York State Bar Association
- Member, New Jersey Bar Association
- Member, The Mississippi Bar
- Member, Mississippi Oil & Gas Lawyers Association
- Member, Memphis World Trade Club
- Member, Mississippi World Trade Center

## Education

J.D., Benjamin N. Cardozo School of Law, 2007

B.A., St. Lawrence University, 2003

## Bar Admissions

Tennessee

Mississippi

Arkansas

New York

New Jersey

## Courts

U.S. Court of Appeals, 5th Circuit

U.S. District Court, Western District of Tennessee

U.S. District Court, Northern District of Mississippi

U.S. District Court, Southern District of Mississippi

U.S. District Court, Western District of Arkansas

U.S. District Court, Eastern District of Arkansas

U.S. District Court, District of New Jersey

## Publications & Press

### **When Is Fear a Protected Reason for Not Coming to Work?**

*HR Professionals Magazine*

July 30, 2020

### **Annual Report on EEOC Developments – Fiscal Year 2019**

*Littler Report*

March 5, 2020

**Littler Elevates 28 Attorneys to Shareholder**

*Littler Press Release*

January 6, 2020

**Annual Report on EEOC Developments – Fiscal Year 2018**

*Littler Report*

January 28, 2019

**Annual Report on EEOC Developments — Fiscal Year 2017**

*Littler Report*

February 27, 2018

**Annual Report on EEOC Developments – Fiscal Year 2016**

*Littler Report*

February 27, 2017

**Annual Report on EEOC Developments – Fiscal Year 2015**

*Littler Report*

January 12, 2016

**Supreme Court Confirms EEOC Conciliation Efforts are Subject to Judicial Review**

*Littler Insight*

April 30, 2015

**Annual Report on EEOC Developments - Fiscal Year 2014**

*Littler Report*

January 5, 2015

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

*Littler Report*

January 22, 2014

**Supreme Court and Sixth Circuit Update**

December 6, 2013

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

*Littler Report*

January 8, 2013

**Supreme Court and Sixth Circuit Update**

December 2012

**Sixth Circuit Affirms NLRB Position on Pre-Recognition Agreements**

*Labor and Employment Law Section Newsletter*

October 2012

**Tennessee Meal Break Waiver Requirements for Tipped Employees**

*Littler Alert*

May 2012

**Cutting Edge Wage and Hour Issues**

May 2011

**Speaking Engagements**

**Breaking Up Is Hard to Do: Managing the Challenges That Arise When the Employment Relationship Ends - Morning Session**

Memphis, TN

October 1, 2019

**Breaking Up Is Hard to Do: Managing the Challenges That Arise When the Employment Relationship Ends - Afternoon Session**

Memphis, TN

October 1, 2019

**Cannabis and the Workplace: The High Points for Employers with Growing Legalization**

ACC Tennessee, Memphis, TN

September 18, 2019

**It's a Labor of Love | Littler Lawyers Answer Your Most Burning Labor and Employment Questions**

Memphis, TN

February 21, 2019

**2018 Year in Review and What to Expect in 2019 - Afternoon Session**

Memphis, TN

November 14, 2018

**2018 Year in Review and What to Expect in 2019 - Morning Session**

Memphis, TN

November 14, 2018

**Breaking Up Is Hard to Do: Managing Challenges that Arise When the Employment Relationship Ends**

North Central Mississippi SHRM Conference, Batesville, MS  
August 14, 2018

**Employment Law: Advanced Issues and Answers – Recent Developments in State and Federal Law and Preparing for Electronic Discovery in Litigation**

National Business Institute Seminar, Memphis, TN  
July 18, 2018

**How to Investigate Discrimination Complaints and Avoid Costly Lawsuits**

Northeast Arkansas SHRM Conference, Jonesboro, AR  
May 8, 2018

**Confidentiality, Competition, and Restrictive Covenants**

Tennessee Business Law Conference, Nashville, TN  
May 3, 2018

**Employment Law Seminar – Presentations on Recent Developments in Employment Law and Hiring/Recruiting**

National Business Institute, Memphis, TN  
March 7, 2018

**A Corporate Balancing Act: Business Need vs. Legal Risk**

Memphis, TN  
November 1, 2017

**A Corporate Balancing Act: Business Need vs. Legal Risk**

Memphis, TN  
November 1, 2017

**Littler Legal Update: Navigating Employment Law in Uncertain Times**

Tennessee Society for Healthcare Human Resources Association 2017 State Conference  
August 25, 2017

**Become a Human Lie Detector: Tactics for Assessing Employee Truthfulness**

Memphis, TN  
August 17, 2017

**Human Resources Law from A to Z: Legal Issues in Recruiting and Hiring**

National Business Institute Seminar  
August 1, 2017

**Manufacturing Law: Labor and Employment Legal Principles**

National Business Institute Seminar

June 28, 2017

**Competition, Confidentiality, and Covenant Conundrums**

National Business Institute Seminar, Nashville, TN

December 8, 2016

**Beyond the Numbers: Preparing for Life After December 2, 2016**

Tennessee Banker's Association Human Resources Conference

August 11, 2016

**"Peeking in the Windows" Background and Credit Checks**

Tennessee Banker's Association Human Resources Conference

August 11, 2016

**Advanced Employment Law: Conducting An Effective Workplace Investigation**

Memphis, TN

June 28, 2016

**Background Checks and Pre-Employment Tests: Sound Hiring Practices to Protect Your Business**

Memphis, TN

April 21, 2016

**Best Practices in Correcting FLSA Compliance Problems – Both Out of Court and In Litigation**

Memphis, TN

February 4, 2015

**FLSA Overtime Claims and Collective Actions: Strategies for Prevention and Defense**

Golden Triangle Human Resources Association

May 14, 2014

**How to Deal with the Toxic Employee**

Littler Employment Law Briefing - Littler Mendelson and Memphis Restaurant Association, Memphis TN

November 7, 2012

**Tennessee Meal Break Waiver Requirements for Tipped Employees**

Littler Employment Law Briefing - Littler Mendelson and Memphis Restaurant Association, Memphis TN

November 7, 2012

**Employment Law Best Practices: Hiring and Firing**

Sterling Education Services Inc.

September 2011

**The Hiring Process: Best Practices for Managing Risk and Maximizing Success in a Constantly Changing Legal Environment**

Memphis, TN

August 2011

**Books & Book Chapters**

- Employment Discrimination Law, *Bloomberg BNA*, Chapter Monitor, Chapter 2 (2014) and Chapter 10 (2013-2016)
- The Developing Labor Law, *Bloomberg BNA*, Contributing Editor, Chapters 21 (2011-2015) and Chapter 29 (2011-2016)
- Annual Review of Developments in Business and Corporate Litigation, *American Bar Association*, Contributing author, 2012