



## William F. Allen

Littler CaseSmart Counsel

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## Focus Areas

Littler CaseSmart

Class Actions

Wage and Hour

Litigation and Trials

Discrimination and Harassment

Labor Management Relations

## Overview

As a brief writer for Littler CaseSmart – Litigation™, Bill Allen formulates and executes briefing strategy for cases. He evaluates and selects legal authority that supports the facts and circumstances of each case and prepares substantive briefs and motions, including complex dispositive motions, discovery motions and briefing concerning discovery and other strategic issues. Bill is based in Washington, D.C.

Previously a Littler Shareholder, Bill is an experienced labor and employment litigator with a focus on complex matters in the wage and hour and employment discrimination areas. He regularly represented clients in collective and class actions under the Fair Labor Standards Act and state wage and hour laws, including off-the-clock work, employee misclassification, joint employer status, meal and rest periods, termination pay, preliminary and postliminary activities, and the fluctuating workweek method for overtime compensation.

As part of his complex wage and hour practice, Bill has helped clients secure multi-district litigation (MDL) treatment, obtain decertification of a nationwide collective action, limit conditional certification of a proposed nationwide collective action, and obtain summary judgment. He also has experience with litigating individual and class action employment discrimination claims, participating in mediation and settlement negotiations, and preparing jury research exercises.

Bill has represented clients in complex unfair labor practice and compliance matters before the National Labor Relations Board (NLRB). For example, Bill represented a major grocery chain in a 79-day hearing that resulted in denial of a nationwide remedy sought by the NLRB's General Counsel. He has also submitted unfair labor practice position statements and handled grievance arbitrations.

Prior to joining Littler, Bill was senior counsel with a prominent labor and employment practice group at another firm, where he represented employers in the retail, food production, pipeline construction, insurance, and cleaning services industries on a variety of labor and employment matters.

Bill also worked as an associate counsel at the Office of House Employment Counsel of the United States House of Representatives, where he provided training and counseling to Congressional members and committees, participated in mediation and administrative hearings, litigated individual and class action employment discrimination cases in the U. S. District Court for the District of Columbia, and argued a constitutional immunity issue before an en banc panel of the D.C. Circuit.

While at the University of Virginia, Bill served three terms on the university's Honor Committee.

## Professional and Community Affiliations

- Member, Labor and Employment Section, District of Columbia Bar
- Member, Restaurant Association Metropolitan Washington

## Recognition

- Named, Super Lawyer, Washington, DC, *Super Lawyers*, 2013 and 2015
- Order of the Coif
- Recipient, William Michael Shermet Award, *University of Virginia Darden School of Business*

## Education

J.D., University of Virginia School of Law, 1996

M.B.A., University of Virginia Darden School of Business, 1992

B.S., University of Virginia, 1988

## Bar Admissions

District of Columbia

Connecticut

Colorado

Maryland

## Courts

U.S. Court of Appeals, 6th Circuit  
U.S. Court of Appeals, 7th Circuit  
U.S. District Court, District of Columbia  
Superior Court of Connecticut, Hartford County  
U.S. District Court, District of Colorado  
U.S. District Court, District of Maryland

## Publications & Press

### **Little Lightbulb: Wage and Hour Developments During the First 100 Days of the Biden Administration**

*Little Insight*

May 4, 2021

### **Little Lightbulb: Wage and Hour Developments During the First Month of the Biden Administration**

*Little Insight*

February 22, 2021

### **What To Know About DOL's Revamped Virus Paid Leave Rule**

*Law360*

September 16, 2020

### **DOL Revises FFCRA Regulations to Clarify Paid Leave Rules in Wake of New York Federal Court's Decision**

*Little Insight*

September 13, 2020

### **NY Federal Court Strikes Down Key Provisions of DOL Rule Regarding FFCRA Paid Sick and Expanded FMLA Leave**

*Little Insight*

August 4, 2020

### **Fifth Circuit Holds District Courts in FLSA Actions May Not Send Notice to Employees with Valid Arbitration Agreements that Prohibit Participation in a Collective Action**

*Little Insight*

February 26, 2019

### **Managing the Employment Relationship in District of Columbia**

*Lexology*

March 29, 2016

**Inclement Weather Poses FLSA Challenges**

*Society for Human Resource Management (SHRM)*

January 28, 2015

**Sharply Divided Seventh Circuit Denies En Banc Review of Dismissal of Donning and Doffing Suit by Unionized Workers**

*Little ASAP*

June 12, 2014

**California District Court Re-Certifies Chinese Daily News Wage and Hour Class Action After Second Trip To Ninth Circuit**

*Little ASAP*

April 23, 2014

**Unionized Poultry Workers Not Entitled to Pay for Meal-Break Changing Time**

*Society for Human Resource Management (SHRM)*

April 9, 2014

**Seventh Circuit Affirms Dismissal of Donning and Doffing Suit by Unionized Workers**

*Little ASAP*

March 26, 2014

**Seventh Circuit Affirms Dismissal of Donning and Doffing Suit by Unionized Workers**

*Little ASAP*

March 26, 2014

**High Court Finds Middle Ground On 'Clothes' Under FLSA**

*Law360.com*

January 29, 2014

**Inclement-Weather Policies Help Employers in Stormy Seasons**

*Society for Human Resource Management (SHRM)*

January 28, 2014

**Supreme Court Finds Middle Ground on Definition of "Clothes" Under the FLSA**

*Little Insight*

January 28, 2014

**High Court Brings Clarity To 'Changing Clothes' Under FLSA**

*Law360.com*

January 27, 2014

**Divided Seventh Circuit Panel Reverses Summary Judgment in Showering and Clothes Changing FLSA Case**

*Little ASAP*

November 8, 2013

**Sandifer Oral Arguments Reveal New Middle Ground**

*Law360.com*

November 5, 2013

**Supreme Court Hears Oral Argument and Appears to Seek Middle Ground on Definition of "Clothes" Under the FLSA**

*Little Insight*

November 5, 2013

**Clothes Encounters of the Supreme Kind**

*Workforce Management*

October 14, 2013

**Second Circuit Clarifies Application of the Highly Compensated Employee Exemption**

*Little ASAP*

October 10, 2013

**Eighth Circuit: Donning and Doffing Not a "Principal Activity" that Triggers Compensation**

*Little ASAP*

September 6, 2013

**DOL Changes Course: Supports Employer in Supreme Court Donning and Doffing Case**

*Little ASAP*

July 31, 2013

**Second Circuit Vacates and Remands Certification in Misclassification Class Action**

*Little ASAP*

June 5, 2013

**New York District Court Enforces Arbitration Agreement Waiving Right to Proceed Collectively on FLSA Claims**

*Little ASAP*

June 3, 2013

**Failed Unpaid Intern Class Action Hints at Impact of Comcast V. Behrend - Bill Allen**

*The Lexblog Network (LXBN)*

May 23, 2013

**Court expands Concepcion's reach in employment case**

*InsideCounsel*

May 22, 2013

**New York Federal Court Denies Class Certification to Unpaid Interns**

*Little ASAP*

May 13, 2013

**Citizens Financial wins overtime case in Pittsburgh**

*Thomson Reuters News & Insight*

April 23, 2013

**Supreme Court Vacates Key Seventh Circuit Wage and Hour Class Certification Decision For Further Consideration in Light of Comcast**

*Little ASAP*

April 3, 2013

**Pennsylvania Federal Court Decertifies FLSA Off-the-Clock Collective Action Against Citizens Bank**

*Little ASAP*

April 1, 2013

**Little's Washington, D.C. and Tysons Corner Offices Land Two New Shareholders Strengthening Firm's National Class Action Practice**

*Little Press Release*

December 19, 2011

## **Speaking Engagements**

**Common Employer Questions: Paycheck Protection Program and Emergency Disaster Injury Loans**

Client Webinar

April 23, 2019

**The Rise of Independent Contractors – Meet the New Boss, Same as the Old Boss?**

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

**Pay Equity: Planning for Change**

2017 Mid-Atlantic Employer

June 6, 2017

**Pay Equity**

2017 Mid-Atlantic Employer Conference, Washington, D.C.  
June 6, 2017

**Donning and Doffing and Other Pre/Post-Shift Activities and the Continuous Work Day**

National Forum on Wage and Hour Claims and Class Actions, American Conference Institute (ACI)  
January 30, 2014

**Litigation Armoring – Building Advance Defenses to Common Wage and Hour Class and Individual Claims**

Washington, DC  
October 16, 2013

**Avoiding Costly Litigation through the Proven Methods of Settlement and Mediation of Wage and Hour Claims**

National Forum on Wage and Hour Claims and Class Actions - American Conference Institute (ACI)  
January 25, 2013

**A Defense Perspective: Mediating FLSA Cases and Administering Settlement Agreements**

2012 Wage and Hour Seminar - Ohio Association for Justice  
June 12, 2012

**FLSA: Current Issues**

Brown Bag Lunch Series - District of Columbia Bar  
April 17, 2012

**Books & Book Chapters**

- Looking Forward to 2014: Wage and Hour Collective and Class Actions, *Employment Law 2014, Aspatore Books*, 2014
- District of Columbia, *The Mid-Atlantic Employer*, *LexisNexis*, 2012-2013
- Class Certification Under Rule 23, Littler Mendelson on Employment Law Class Actions, Chapter 9, 2nd Ed., chapter co-editor, *LexisNexis*, 2012
- Defending Employers in Complex Wage and Hour Litigation, *Strategies for Employment Class and Collective Actions*, *Aspatore Books*, 2012