



William F. Allen

Littler CaseSmart Counsel

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Focus Areas

Littler CaseSmart

Class Action

Wage and Hour

Litigation and Trials

Discrimination and Harassment

Arbitration

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, oppositions to collective and class treatment, decertification motions, motions to compel arbitration, appeals, and mediation statements. Bill is based in Colorado.

Previously a Littler Shareholder, Bill is an experienced employment litigator with a focus on complex matters in the wage and hour, employment discrimination, and arbitration areas. He regularly represented clients in collective and class actions under the Fair Labor Standards Act and state wage and hour laws, including matters involving 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. Bill also conducted outside fact investigations for clients involving claims of discrimination and harassment. He has briefed appeals in the District of Columbia, Sixth, Seventh, and Ninth Circuits, and before the United States Supreme Court.

In his more than 25 years of practice, Bill has experience in a wide variety of industries, including small- and large-box retail, grocery, food production and distribution, restaurants, inventory, construction, recycling, armored services, law enforcement, promotional marketing, software sales, technology, hospitals, home care, women's care, and managed care.

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 or defeat conditional certification of proposed nationwide collective actions, and obtain dismissal and summary judgment. He also has experience with litigating individual and class action employment discrimination claims, participating in mediation and settlement negotiations, preparing jury research exercises, and working with damages experts.

Prior to joining Littler, Bill was senior counsel with a prominent labor and employment practice group at another firm. Bill also worked for four years as an associate counsel at the Office of House Employment Counsel of the United States of House of Representatives, where he provided training and counseling to Congressional members and committees, House Officers, and the U.S. Capitol Police, 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

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*
- Member, University of Virginia, *Raven Society*
- Tau Beta Pi Engineering Honor Society

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

Colorado

District of Columbia

Connecticut

Maryland

Montana

Idaho

Courts

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

Publications & Press

Ninth Circuit: “Transportation Exemption” Does Not Apply to Arbitration Clauses Between Corporate Entities or in Commercial Contracts

Littler ASAP

April 23, 2024

Littler Lightbulb: Wage and Hour Developments During the First 100 Days of the Biden Administration

Littler Insight

May 4, 2021

Littler Lightbulb: Wage and Hour Developments During the First Month of the Biden Administration

Littler 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

Littler Insight

September 13, 2020

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

Littler 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

Littler 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

Littler ASAP

June 12, 2014

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

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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

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March 26, 2014

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

Littler ASAP

March 26, 2014

High Court Finds Middle Ground On 'Clothes' Under FLSA

Law360.com

January 29, 2014

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

Littler Insight

January 28, 2014

Inclement-Weather Policies Help Employers in Stormy Seasons

Society for Human Resource Management (SHRM)

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

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

Little Insight

November 5, 2013

Sandifer Oral Arguments Reveal New Middle Ground

Law360.com

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

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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

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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

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April 3, 2013

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

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April 1, 2013

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

Littler 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