William F. Allen

Senior Counsel

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Practice Areas

Class Action
Wage and Hour
Arbitration
Litigation and Trials
Discrimination and Harassment

Overview

William F. Allen is Senior Counsel on the Class Action Counsel team and is based in Colorado. As a brief writer assigned to class, collective, mass, and representative actions, Bill formulates and executes briefing strategy. 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, opposition to class certification, motions to compel arbitration, mediation briefs, and other strategic briefing.

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, and preliminary and postliminary activities. Bill has 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, manufacturing, inventory, construction, recycling, armored services, law enforcement, promotional marketing, software sales, technology, hospitals, home care, and women's 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 class and collective action 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
Connecticut
District of Columbia
Maryland
Montana
Idaho

Courts

U.S. Court of Appeals, 6th Circuit
U.S. Court of Appeals, 7th Circuit
U.S. Court of Appeals, D.C. Circuit
U.S. District Court, District of Columbia

U.S. District Court, District of Idaho
U.S. District Court, District of Maryland
U.S. District Court, Eastern District of Missouri
Colorado Supreme Court
Idaho Supreme Court
Maryland Supreme Court
Montana Supreme Court

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 ASAP
May 4, 2021

Littler Lightbulb: Wage and Hour Developments During the First Month of the Biden Administration
Littler ASAP
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 ASAP
September 13, 2020

NY Federal Court Strikes Down Key Provisions of DOL Rule Regarding FFCRA Paid Sick and Expanded FMLA Leave
Littler ASAP
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 ASAP
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
Littler 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
Littler ASAP
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 ASAP
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
Littler ASAP
November 8, 2013

Supreme Court Hears Oral Argument and Appears to Seek Middle Ground on Definition of "Clothes" Under the FLSA
Littler ASAP
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
Littler ASAP
October 10, 2013

Eighth Circuit: Donning and Doffing Not a "Principal Activity" that Triggers Compensation
Littler ASAP
September 6, 2013

DOL Changes Course: Supports Employer in Supreme Court Donning and Doffing Case
Littler ASAP
July 31, 2013

Second Circuit Vacates and Remands Certification in Misclassification Class Action
Littler ASAP
June 5, 2013

New York District Court Enforces Arbitration Agreement Waiving Right to Proceed Collectively on FLSA Claims
Littler 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
Littler 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
Littler ASAP
April 3, 2013

Pennsylvania Federal Court Decertifies FLSA Off-the-Clock Collective Action Against Citizens Bank
Littler ASAP
April 1, 2013

Littler's Washington, D.C. and Tysons Corner Offices Land Two New Shareholders Strengthening Firm's National Class Action Practice
Press Release
December 19, 2011

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

Pay Equity: Planning for Change
2017 Mid-Atlantic Employer
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