

Marilyn M. Fish

Partner, Atlanta

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Marilyn Fish is the leader of the firm's Labor & Employment service group, which includes a team of attorneys and professionals specializing in corporate compliance, employment counseling and advice, human resources training and health, safety and drug testing matters, employment litigation, including defense of complex class and collective actions, and defense of actions and investigations brought by federal and state agencies. Ms. Fish concentrates in the representation of management in matters of equal employment opportunity, labor-management relations, affirmative action and other employment-related issues. She represents a wide range of employers before federal, state and local government agencies and advises clients concerning employment policy design and review, contract negotiations and management training programs.

In the area of equal employment opportunity, her practice has included handling age, race, sex, national origin, religion, disabled and veterans' rights law discrimination charges, as well as investigations arising from those charges. Ms. Fish assists clients with "high profile" internal investigations involving harassment and discrimination allegations concerning management and other top officers. Ms. Fish conducts seminars regarding employment-related matters and develops seminar

Practices

- Labor, Employment & Immigration

Education

- J.D., With Honors, Duke University, 1985
- B.A., *magna cum laude*, Duke University, 1982

Bar & Court Admissions

- Georgia, 1985

Memberships

- American Bar Association
- Atlanta Bar Association
- State Bar of Georgia

Publications

"Brief Advice," *Counsel to Counsel*, 2008

"August 23, 2004: The Deadline for Employers to Comply with the FLSA's New White Collar Exemptions," *Human Resource Executive*, June 2004

"August 23, 2004: The Deadline for Employers to Comply with the FLSA's New White Collar

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materials for affirmative action compliance and plan administration, equal employment and anti-harassment training. Ms. Fish has developed in-house training programs for managers and supervisors on a wide variety of employment-related matters. Ms. Fish has been an instructor at both Georgia Institute of Technology and Georgia State University.

Ms. Fish has defended numerous companies in over 100 OFCCP audits and investigations, including "glass ceiling" reviews and class action complaints before the OFCCP. She has represented clients in nationwide wage/hour audits. She is recognized as one of the nation's leading defense lawyers in connection with OFCCP and wage/hour matters.

Exemptions," *National Personnel Updates*, August 2004

"August 23, 2004: The Deadline for Employers to Comply with the FLSA's New White Collar Exemptions," *Personnel/HR Assistant*, June 2004

"Map Out a Detailed Yet Simple Telecommuting Policy," *Employment Management Today*, Fall 2003

"Sex, Lies and E-mail: Labor Law in Cyberspace," *The Legal Perspective Paper for National Corporate Roundtable*, 1999

"Avoiding the Next Big Wave of Employer Liability," *Paper for Council on Education in Management*, 1999

"The ADA and FMLA Transform 'Light Duty' Into a Heavy Burden," *HR Atlanta*, 1999

"Same-Sex Sexual Harassment Ruled Illegal," *Small Business News*, 1998

"Help Wanted: The Americans with Disabilities Act and Pre-employment Inquiries," *Risk Management*, 1997

"Legal Concerns: Responsibility for Sexual Harassment May Extend to Conduct of Medical Staff," *Georgia Hospitals Today*, 1997

Speaking Engagements

- "Employment Trends," Powell Goldstein Women's Retreat, 2007
- "Legal Issues in Managing Employees," Georgia Tech, 2007, 2006, 2005
- "Taking HR to the Next Level: Proactive Strategies for the Experienced HR & Legal Department," Powell Goldstein's Annual Labor & Employment Seminar, 2007

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- "Stemming the Tide of Whistleblower Claims: Minimizing Retaliation Risks in the Workplace," Powell Goldstein Breakfast Briefing, 2005
- Individual client seminars, 2005-2007, on such topics as:
 - - Employment Law Updates
 - - Family and Medical Leave Act (FMLA)
 - - Internet Applicants
 - - Human Resources Overview
 - - Workplace Investigations