

# Kate Dewberry

**PARTNER**

t: 919.783.2869

Kate counsels and represents employers on employment law issues and litigation arising under federal and state laws covering leave, discrimination, termination, affirmative action, and wage and hour law. She serves as employment counsel in mergers and acquisitions, analyzing due diligence and advising on employment components of purchase agreements and transition plans. Kate is also a member of the firm's Health Care section and provides representation and counseling to North Carolina licensees who are applying to, under investigation by or being charged by licensing board and represents parties in hospital medical staff investigations and hearings.



**OFFICE LOCATION**

301 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
P.O. Box 1801  
Raleigh, NC 27602

**JURISDICTIONS LICENSED**

North Carolina, Pennsylvania, US District Court for the Eastern District of NC, US District Court for the Middle District of NC, US District Court for the Western District of NC, US District Court for the Western District of Pennsylvania

*“My goal is to provide practical solutions that help employers maintain a good relationship with their workforce while complying with the complex framework of state and federal employment laws.”*

## **BIOGRAPHY**

Kate represents clients in federal and state court, arbitration, and proceedings before administrative agencies including the Equal Employment Opportunity Commission, the United States Department of Labor, the Office of Federal Contractor Compliance, OSHA, the North Carolina Department of Labor, and the North Carolina Division of Employment Security.

## **AREAS OF FOCUS**

### **EMPLOYMENT**

- Counsels employers on various employment law issues including employee handbooks, hiring, background checks (including compliance with the Fair Credit Reporting Act and state ban-the-box laws), drug testing (Department of Transportation (“DOT”) and non-DOT testing), severance and release agreements, discipline, termination, compensation, employee leaves of absence, executive employment agreements, non-competition and non-solicitation agreements, confidentiality agreements, layoffs (including WARN Act compliance), and other employment law issues
- Conducts workplace employee and manager training on discrimination, sexual harassment, wage and hour issues, Family and Medical Leave Act and Americans with Disabilities Act compliance, and other employment law topics
- Advises employers on compliance with Office of Federal Contract Compliance Program (OFCCP) requirements, including Affirmative Action Plans and audits
- Conducts workplace investigations into allegations of sexual harassment and discrimination

### **EMPLOYMENT LITIGATION**

- Litigates a variety of employment disputes in arbitration, state and federal courts, including lawsuits involving breach of employment contracts and covenants, wrongful termination, discrimination, harassment, retaliation, and unsafe working conditions claims

### **ADMINISTRATIVE EMPLOYMENT LAW**

- Defends charges of discrimination against employers, including on-site investigations, witness interviews, drafting position statements for submission to the Equal Employment Opportunity Commission, and mediating cases
- Defends employers in investigations by the federal and state Department of Labor, OSHA, National Labor Relations Board, and Office of Federal Contractor Compliance
- Represents employers in unemployment compensation appeals
- Represents employers in audits conducted by federal and state agencies

### **LITIGATION AVOIDANCE COUNSELING**

- Analyzes the risk of litigation presented by a termination, transfer, discipline, or layoff situation and provides practical advice on how to structure such events to position the employer with the

best defense to any claim the employee might make.

- Advises individuals and employers on hiring risks associated with restrictive covenants
- Represents employers in pre-litigation dispute resolution, including mediations

## **POLICIES, CONTRACTS, & HANDBOOKS**

- Drafts and reviews handbooks, policies, and termination issues
- Regular speaker on employment matters and employer best practices

## **HEALTH CARE**

- Provides representation and counseling to North Carolina licensees who are applying to, under investigation by, or being charged by licensing board and represents parties in hospital medical staff investigations and hearings.
- Advises Physicians on employment and restrictive covenant agreements

## **CREDENTIALS**

### **CERTIFICATIONS & SPECIALIZATIONS**

Certified Yellow Belt in Legal Lean Sigma by the Legal Lean Sigma Institute®

### **EDUCATION**

University of Pittsburgh School of Law, J.D., *cum laude*

Clemson University, B.A.