

Conrad O'Brien lawyers represent clients involved in lawsuits alleging sexual harassment; age, race, sex, or disability discrimination; and wrongful discharge or retaliation. We also frequently defend employers against claims brought by whistleblowers or by government entities based upon a whistleblower's allegations. In addition, we have an active restrictive covenant practice, not only advising clients on the effective use of restrictive covenants in employment agreements, but also both challenging and enforcing covenants in litigation as appropriate as a result of changes in employment. We regularly help clients avoid litigation by counseling them as they consider employment decisions and by negotiating reasonable severance agreements. We revise employee handbooks, update employment agreements, and develop and present training programs for clients' personnel. One of our associates worked as an Equal Employment Opportunity Commission investigator for three years before he joined the firm.

Representative engagements include the following:

- In a highly publicized sexual harassment lawsuit brought by a female attorney, Conrad O'Brien was chosen to represent the international law firm that she sued. The Philadelphia Inquirer reported daily on the sensational allegations of the case as it was tried in front of a Philadelphia jury. The public interest in the case brought with it a public vindication: after a several week trial, the jury returned a complete defense verdict for the law firm involved.
- Conrad O'Brien represented a major North American food manufacturer in an employee's suit for its alleged failure to accommodate physical disabilities. We were engaged late in the proceedings, after the Third Circuit had already reversed the district court's entry of summary judgment for the defendant and the district court had set the case for trial. We promptly engaged in additional discovery and uncovered important new information. We used the new information as the basis for a renewed motion for summary judgment and that prompted settlement negotiations. The case settled shortly thereafter without the need for a trial.
- Conrad O'Brien is national counsel for a privately owned medical device company. As the fastest growing orthopedics company in history, our client has been in a hiring mode since its founding. In seeking experienced candidates from within its industry, the company became a target for its larger competitors, and the single largest category of lawsuits filed against the company arose out of its hiring practices. We have not only defended the company in such litigation, but we trained the company's human resources personnel and sales force managers to evaluate more completely the restrictive covenants to which their employment candidates were subject. The result was that litigation over the company's hiring practices dropped dramatically after the first year of the company's operations.
- When a Fortune 500 company was sued by an employee who claimed that workplace investigation invaded his privacy, a Conrad O'Brien lawyer helped to establish a new principle under Pennsylvania law that benefits all employers. In the case, the Pennsylvania Superior Court affirmed the trial court's ruling that invasion of privacy claims arising out of a workplace investigation are preempted by Pennsylvania's Workers Compensation Act.
- In one of the first cases of its kind ever tried, a Philadelphia law firm was sued by one of its associates in an AIDS discrimination case. The law firm's trial team was led by Conrad O'Brien's founder, William O'Brien. The case was covered daily by CourtTV, and it inspired the Academy Award-winning movie, Philadelphia, starring Tom Hanks and Denzel Washington.
- Conrad O'Brien's Chester County office represents municipal clients as solicitors in connection with labor and employment issues. We provide guidance regarding personnel handbooks, harassment, benefits, municipal pension issues and hiring/termination issues and have taken an active role with insurance defense counsel in employment discrimination litigation. We negotiate collective bargaining agreements and represent municipal employers in connection with employee grievances filed pursuant to the agreements.

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