

Preface

Since 1995, this treatise has chronicled the rapid development of employment law at both the federal and state level. This book covers many key workplace issues such as hiring and firing, wage and hour, and the application of anti-discrimination statutes. This book also takes a big tent approach by including a number of specialty subject matter topics that inform employment law practice, including ERISA, OSHA, and insurance coverage for employment claims.

This fourth edition of *Employment Law and Practice* is written by four co-authors. They are: E Stephen F. Befort, one of the original authors, and a Professor of Law at the University of Minnesota Law School; E Howard Bolter of the Bolter Law, LLC, who primarily represents individual employees; E Penelope J. Phillips of the Felhaber, & Larson law firm, who primarily represents employers; and E Grant T. Collins of the Felhaber, & Larson law firm, who primarily represents employers. This team brings both experience and balance in support of this treatise.

We owe a great debt of gratitude to the many individuals who have contributed to this book over the years. The first thanks go out to two collaborators on the book's first edition—Karen G. Schanfield and Rita A. McConnell. Karen was the co-author on the first edition, and several chapters in this edition are built upon the excellent foundation of her earlier work. Rita served as a special editorial consultant for the first edition. Her steadfast editorial work helped to transform a series of research papers into a cohesive legal treatise. Second, we want to thank a large group of contributing authors who have shared their expertise in special areas of employment law practice. A significant part of this group consists of four individuals who, at one point or another, assumed ongoing responsibility as chapter authors: Tim Goodman (Chapter 7 – Employee Retirement Income Security Act), Julie Leppink (Chapter 8 - Occupational Safety and Health), Thomas J. Doyle (Chapter 19 – Settlements and Their Tax Consequences), and Tim Tobin (Chapter 20 - Insurance Coverage for Employment Claims). Several other individuals contributed to the book by assisting in the preparation of earlier chapters or chapter sections: Paul Cady, Susan Gretz, Anne Johnson, Christopher Kopka, Rita McConnell, Gail Riseberg, Omar Sayd, Michael Vanselow, and Paul Zech. Third, a host of very talented student research assistants from the University of Minnesota

Law School have made important contributions to keep this publication up-to-date. These students and their respective years of graduation are as follows:

David Byrd (1993)	Mary Galvin (1993)
Sam Rosenstein (1993)	Gail Riseberg (1994)
Laura Pfeiffer (1995)	Corina Leske (1998)
Holly Lindquist Thomas (1998)	Nancy Mate (1999)
Brad Hintze (2001)	Sarah Jain (2001)
Lydia Potthoff (2001)	Jay Ramos (2001)
Jessica Clay (2002)	Rebecca Bernhard (2003)
Adam Gillette (2003)	Valerie Darling (2004)
Intesar Elder (2004)	Brian Gudmundson (2004)
David Bryce (2005)	Sarah Gorajski (2005)
Bridget McCauley Nason (2005)	Wesley Graham (2005)
Lucas Garrett (2006)	Anna Dunbar-Hester (2006)
Amy York (2006)	Krista Hatcher (2007)
Rhiannon Fermoye Beckendorff (2007)	Anne Zorn (2008)
Jennifer Heim (2009)	Randall Ryder (2009)
Nina Englander (2010)	Jillian Kornblatt (2010)
Amy Bauer Conway (2010)	Christina Alexander Sans (2010)
Drew James (2010)	Amanda Skinner (2010)
David Aron (2011)	Sarah Robison (2012)
Phoebe Taruick (2012)	Mark Quade (2013)
Ashley Walek Thronson (2013)	Erik Bal (2015)
Kaitlyn Dennis (2015)	Ethan Landy (2015)
Christopher Ortega (2016)	Molly Vo Leisen (2016)
Dana Swanson (2017)	John Ackley (2017)
Chelsea Bodin (2018)	Abigail Hencheck (2019)
Hadley Simonett (2019)	Cameron Hansen (2021)
Molly Fischl (2021)	Matt Jacobs (2022)

Fourth, several associates of the Felhaber firm assisted in the preparation of fourth edition materials.

LAURA I. BERNSTEIN	GRANT S. GIBEAU
COLIN H. HARGREAVES	STEVEN F. BEFORT
HOWARD BOLTER	PENELOPE J. PHILLIPS
GRANT T. COLLINS	

September 2022

Preface

Since 1995, this treatise has chronicled the rapid development of employment law at both the federal and state level. This book covers many key workplace issues such as hiring and firing, wage and hour, and the application of anti-discrimination statutes. This book also takes a big tent approach by including a number of specialty subject matter topics that inform employment law practice, including ERISA, OSHA, and insurance coverage for employment claims.

This fourth edition of *Employment Law and Practice* is written by four co-authors. They are: E Stephen F. Befort, one of the original authors, and a Professor of Law at the University of Minnesota Law School; E Howard Bolter of the Bolter Law, LLC, who primarily represents individual employees; E Penelope J. Phillips of the Felhaber, & Larson law firm, who primarily represents employers; and E Grant T. Collins of the Felhaber, & Larson law firm, who primarily represents employers. This team brings both experience and balance in support of this treatise.

We owe a great debt of gratitude to the many individuals who have contributed to this book over the years. The first thanks go out to two collaborators on the book's first edition -- Karen G. Schanfield and Rita A. McConnell. Karen was the co-author on the first edition, and several chapters in this edition are built upon the excellent foundation of her earlier work. Rita served as a special editorial consultant for the first edition. Her steadfast editorial work helped to transform a series of research papers into a cohesive legal treatise. Second, we want to thank a large group of contributing authors who have shared their expertise in special areas of employment law practice. A significant part of this group consists of four individuals who, at one point or another, assumed ongoing responsibility as chapter authors: Tim Goodman (Chapter 7 – Employee Retirement Income Security Act), Julie Leppink (Chapter 8 - Occupational Safety and Health), Thomas J. Doyle (Chapter 19 – Settlements and Their Tax Consequences), and Tim Tobin (Chapter 20 - Insurance Coverage for Employment Claims). Several other individuals contributed to the book by assisting in the preparation of earlier chapters or chapter sections: Paul Cady, Susan Gretz, Anne Johnson, Christopher Kopka, Rita McConnell, Gail Riseberg, Omar Sayd, Michael Vanselow, and Paul Zech. Third, a host of very talented student research assistants from the University of Minnesota

Law School have made important contributions to keep this publication up-to-date. These students and their respective years of graduation are as follows:

David Byrd (1993)	Mary Galvin (1993)
Sam Rosenstein (1993)	Gail Riseberg (1994)
Laura Pfeiffer (1995)	Corina Leske (1998)
Holly Lindquist Thomas (1998)	Nancy Mate (1999)
Brad Hintze (2001)	Sarah Jain (2001)
Lydia Potthoff (2001)	Jay Ramos (2001)
Jessica Clay (2002)	Rebecca Bernhard (2003)
Adam Gillette (2003)	Valerie Darling (2004)
Intesar Elder (2004)	Brian Gudmundson (2004)
David Bryce (2005)	Sarah Gorajski (2005)
Bridget McCauley Nason (2005)	Wesley Graham (2005)
Lucas Garrett (2006)	Anna Dunbar-Hester (2006)
Amy York (2006)	Krista Hatcher (2007)
Rhiannon Fermoye Beckendorff (2007)	Anne Zorn (2008)
Jennifer Heim (2009)	Randall Ryder (2009)
Nina Englander (2010)	Jillian Kornblatt (2010)
Amy Bauer Conway (2010)	Christina Alexander Sans (2010)
Drew James (2010)	Amanda Skinner (2010)
David Aron (2011)	Sarah Robison (2012)
Phoebe Taruick (2012)	Mark Quade (2013)
Ashley Walek Thronson (2013)	Erik Bal (2015)
Kaitlyn Dennis (2015)	Ethan Landy (2015)
Christopher Ortega (2016)	Molly Vo Leisen (2016)
Dana Swanson (2017)	John Ackley (2017)
Chelsea Bodin (2018)	Abigail Hencheck (2019)
Hadley Simonett (2019)	Cameron Hansen (2021)
Molly Fischl (2021)	Matt Jacobs (2022)

Fourth, several associates of the Felhaber firm assisted in the preparation of fourth edition materials.

LAURA I. BERNSTEIN	GRANT S. GIBEAU
COLIN H. HARGREAVES	STEVEN F. BEFORT
HOWARD BOLTER	PENELOPE J. PHILLIPS
GRANT T. COLLINS	

September 2022