



Brian M. Hentosz

Shareholder

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Practice Areas

Appellate
Class Action
Labor Management Relations
Litigation and Trials
Wage and Hour
Business Restructuring and M&A

Overview

Brian M. Hentosz represents employers in traditional labor matters and wage and hour litigation throughout the country.

Brian's traditional labor practice focuses on:

- Proceedings before the National Labor Relations Board and the Pennsylvania Labor Relations Board
- Appellate litigation and National Labor Relations Act injunctions
- Collective bargaining
- Grievance arbitrations
- Labor contract administration
- Strike and picketing injunctions
- Union organizing campaigns
- Corporate transactions
- Plant closings and mass layoffs

In his wage and hour practice, Brian represents employers in class and collective actions brought under the Fair Labor Standards Act and state wage and hour laws. He has defended employers in the construction, energy, financial services, restaurant, retail, sports and entertainment, and transportation industries. He has significant experience defending against

allegations of:

- Exemption misclassification
- Unpaid overtime
- Off-the-clock, preliminary and postliminary unpaid time, and meal and rest break violations
- Independent contractor misclassification
- Unlawful tip pooling, tip sharing, and tip credit practices

Additionally, Brian regularly advises clients on labor and employment compliance issues, including:

- Employee handbooks and policies
- Discipline and termination issues
- Wage and hour compliance
- Union avoidance
- Implementing lawful reductions-in-force
- Conducting investigations
- Severance agreements

Brian served as the symposium editor of the *Tulane Law Review*. Prior to attending law school, he worked in the planning and allocation department at the corporate headquarters of a large retailer. As an undergraduate, he was a member of the Villanova football team.

Professional and Community Affiliations

- Member, Central Catholic Lettermen's Club
- Member, Big 33 Scholarship Foundation, Inc.

Events & Speaking Engagements

Taking the Labor World by Storm: Aftermath of 2023 NLRB Decision Blitz and Dark Clouds on the Horizon

Pittsburgh, PA

October 24, 2023

The Littler Pennsylvania Report: Important Updates for Pennsylvania Employers in 2023

Pittsburgh, PA

February 28, 2023

Are White-Collar Exemptions Being Met?

Lorman Education Services Webinar

September 30, 2021

Elections Matter: An Update on the Impacts of the 2020 Election

Pittsburgh, PA

February 3, 2021

COVID-19 Guidance for Employers: Updates and Practical Tips

June 2, 2020

Labor Law Update: The Trump Board Impact of the Changing of the Guard at the NLRB and What it Means for Nonunion and Union Employers

Pittsburgh, PA

January 24, 2019

The Hottest Labor and Employment Developments of 2015

Pittsburgh, PA

November 4, 2015

Books & Book Chapters

Picketing for Organization and Recognition, *The Developing Labor Law*, Chapter 21, *ABA Section of Labor and Employment Law*, Chapter Contributing Editor, 2018-2019

Recognition

- Named, Ones to Watch *The Best Lawyers in America*©, 2021-2025
- Order of the Coif
- Omicron Delta Epsilon
- Recipient, CALI Award in Constitutional Criminal Procedure

Education

J.D., Tulane University Law School, 2013, *summa cum laude*

B.A., Villanova University, 2008

Bar Admissions

Pennsylvania

Courts

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 3rd Circuit

U.S. District Court, Western District of Pennsylvania

U.S. District Court, Eastern District of Pennsylvania

U.S. District Court, Southern District of Texas

Publications & Press

Littler Elevates 33 Attorneys to Shareholder

Press Release

January 6, 2022

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Press Release

August 19, 2021

DOL Issues Opinion Letter Addressing Requirements of the “Amusement or Recreational Establishment” Exemption

Littler ASAP

January 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Press Release

August 20, 2020