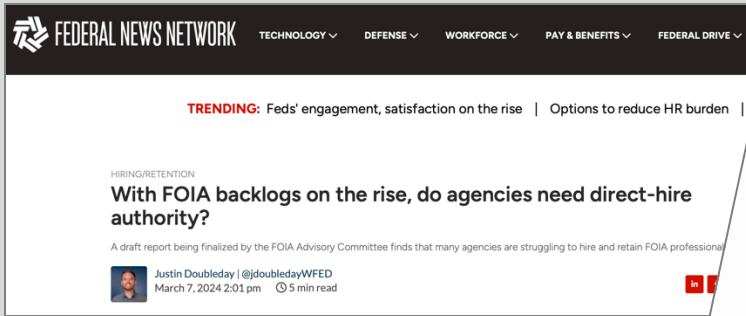


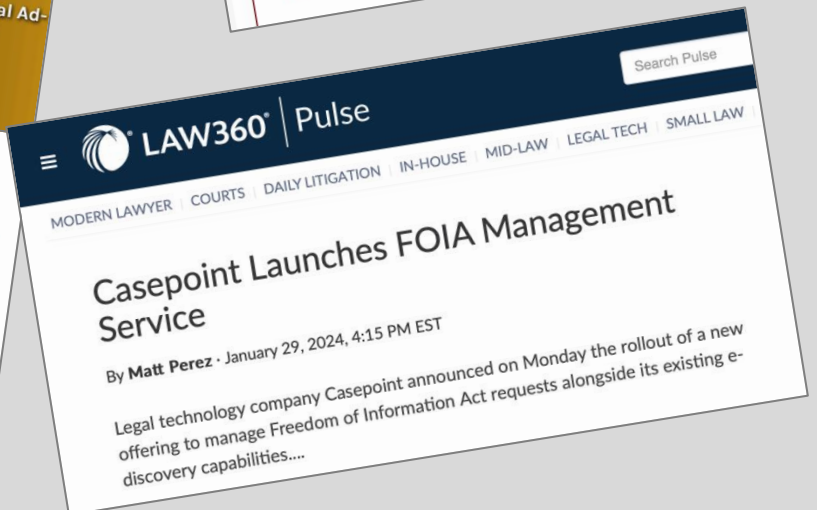
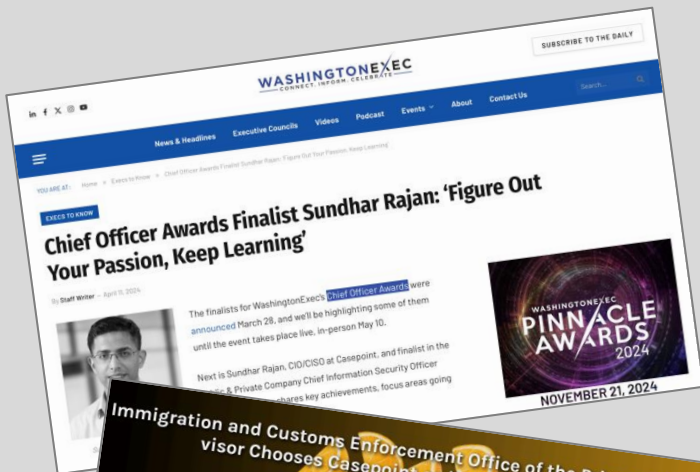
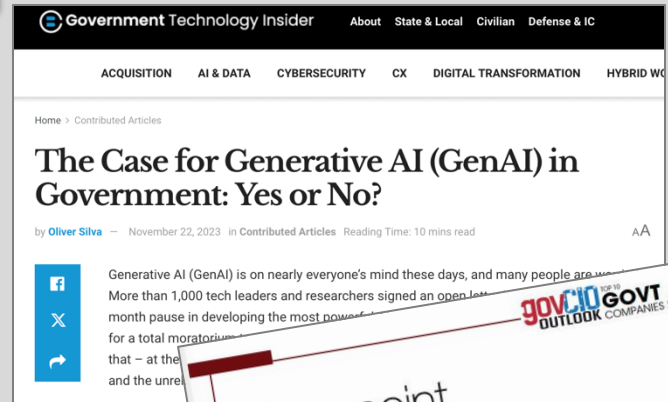
Adds attorney Ken Sulzer at Constangy Brooks: "This could absolutely be impactful across industries, even outside TV and film production. There are lots of executives with fixed terms, and headhunters call them up every day."

Media Relations



Client: Casepoint
Securing media placements for thought leaders

Working with reporters to have Casepoint SMEs contribute guest articles or be quoted as knowledgeable experts. Also securing coverage in government trade media for news about new contract wins and product launches.



Media Relations

Client: Constangy
Thought leadership articles

ACC Docket, the print/online magazine of the Association of Corporate Counsel, is widely read by the corporate attorneys who are Constangy's most important audience. These are several examples of articles I pitched to the magazine and helped Constangy partners write and edit.



Complying with OSHA's "New" Anti-Retaliation Provisions

By Jennifer Jankovic, Jim Gill, and Katherine Day The New Year — a season for resolutions and hitting the "refresh" button. It is no different for the Occupational Safety and Health Administration (OSHA), which issued considerable revisions to its anti-retaliation policies last year that will appreciably affect employers in 2017. Beginning January 1, 2017, employers became subject to a new electronic injury recordkeeping rule that includes anti-retaliation provisions that create employer obligations and prohibitions related to internal employee injury reporting procedures. It also expands OSHA's enforcement authority by introducing an employee new set of anti-retaliation provisions addressed more thoroughly below. Particularly controversial programs. Because OSHA's new rule on policies related to post-injury drug testing and safety incentives is imperative that employers adopt a renewed commitment to understanding and complying with the new requirements mandated by OSHA.

ACC DOCKET APRIL 2017 57

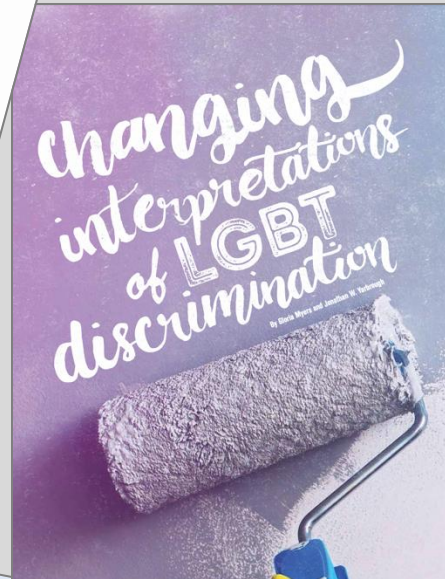
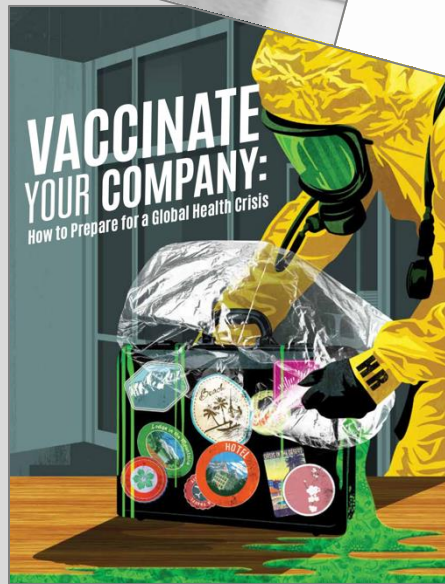


CHART DUTY

- Company changes: The US Department of Justice is ready to broaden the scope of people it considers to be substantially based in a life activity.
- Do not let managers grant internal accommodations to employees without consulting HR, as this can leave the company's hand in the future.
- All away: Not everything is off limits — some questions about the scope and nature of a disability are reasonable and necessary.
- Preempt lawsuits: Make sure company accommodations comply with federal standards, especially during interviews or construction. Leave it best to be told.



The Americans with Disabilities Act After a Quarter Century

By Steve Metzger and Nancy Lammert

The last 25 years of the Americans with Disabilities Act (ADA) has offered a lot to reflect upon. And without question, it has been a bit of a wild ride. It all started with a rather vague statute, leaving the courts to define "disability." The US Supreme Court clarified that issue when it stated that "an individual must have an impairment that prevents or severely restricts the individual from doing activities that are of central importance to most people's daily lives." Congress, objecting to the narrow interpretation of the ADA, stepped in nearly 20 years later to make the statute apply to pretty much everyone. So now that we have that all settled, what's next?

ACC DOCKET APRIL 2017 57



What is OK — and what isn't — when it comes to methods for improving workforce diversity? Employees are creative and strategic when it comes to workforce diversity initiatives. Sometimes, however, that creativity — and the motivation to move the needle on diversity metrics — can create unintended consequences. There are two competing values at play here: the legal requirement to make employment decisions that are not based on protected characteristics, and the desire to ensure underrepresented groups are fully considered in the employment process. How can employers do the latter without violating the former?

Traditional affirmative action efforts focus on the recruitment process and are based on the theory that creating diverse candidate pools will, over time and through application of a neutral selection process, naturally lead to more diverse workplaces. US federal contractors have been required to engage in such affirmative action efforts since 1961.

President Lyndon Johnson signed Executive Order 11246 following the Civil Rights Act of 1964. Many non-federal contractors followed suit, and the value of utilizing diverse recruitment sources and doing so voluntarily.

But what if casting a wide net for applicants and using recruitment sources geared toward diverse candidates fails to produce the desired results?

That's what if casting a wide net for applicants and using recruitment sources geared toward diverse candidates fails to produce the desired results? And what can employers legally do to ensure that the diverse candidates who do apply for employment are considered and evaluated for hiring purposes? This is a complex legal issue, and employers should tread carefully before implementing procedures that specifically take race, gender, or other protected characteristics into account.

Media Relations



LEADERSHIP

Constangy, Brooks, Smith & Prophete:
Breaking New Ground in Law Firm Diversity

Neil Wasserman (right), Chair of the Executive Committee, and Donald Prophete (left), newly named Partner, Constangy, Brooks, Smith & Prophete, LLP

If you're trying to name a law firm that is breaking new ground in the area of diversity, your first thought probably wouldn't be a 70-year-old firm headquartered in the Deep South. But things are a little different at Constangy, Brooks, Smith & Prophete, LLP, which recently became the first of the country's 350 largest law firms to have an African-American attorney as a Named Partner.

The 165 attorney firm is one of the top 10 labor and employment law firms in the U.S. A regional powerhouse for decades, the firm has expanded since 2000 into markets across the country.

Recently, Constangy took another bold step, adding Kansas City attorney Donald Prophete as a Named Partner to a letterhead that hadn't changed since the Nixon administration. Prophete's arrival is the centerpiece of an expansion that has brought more than 30 lateral partners and associates to the firm and opened new offices in New York City and Denver. The expansion is a carefully thought-out strategy for keeping the firm successful and viable into its next 70 years, designed to strengthen the firm's footprint and bring in talented partners with relationships in the industries where Constangy already has strong depth, such as retail, hospitality and healthcare.

Beyond the solid business opportunity, Don's arrival at Constangy is the vision of two men looking to long a new model for what a law firm can be. Neil Wasserman, chair of Constangy's executive committee and Prophete – a Haitian immigrant known for his abilities as a rainmaker and as a mentor to younger attorneys – are working together to look at law firm diversity in a new way. "You'd be hard-pressed to find a large law firm that doesn't have a section on its website talking about its commitment to diversity," said Prophete. "Are they well-intentioned? Absolutely. Are their efforts working? To an extent, yes. But beyond a committee, a training program, or a hiring initiative, I think there is a lot of work still to be done in establishing meaningful diversity. Despite many real and significant efforts over the years, we have seen little change in diversity in the higher ranks of law firms. We're trying to change that."

Prophete is excited about the "top-down" approach Constangy is taking toward diversity. "Many firms focus on the greater percentage of minorities as entry-level or law than along the way up. We're actively seeking, recruiting, talented and diverse attorneys who can mentoring and environment that will help you succeed."

According to Wasserman, the focus on diversity is a new paradigm. "We often represent employees in matters of race and fair treatment, so maybe we have more than other types of firms into the important. Our clients are navigating a more diverse world. They want their lawyers to understand those issues and then in the courtroom or at the bargaining table."

"If we can bring passionate advocacy and expertise to our clients, then we're good lawyers and trust of our clients," says Prophete. "We have the ability to bring ideas and solutions to the table. We have experiences that are different, from business, law, and from perspectives that are not great lawyers. That's going to give you Constangy, Brooks, Smith & Prophete."

Constangy.com and on Twitter @Constangy.

Don Prophete and Neil Wasserman are Smith & Prophete offer a wider lens

16 MULTICULTURAL LAW 2015 Edition

Client: Constangy
Highlighting the firm's diversity

Partnering with "personality" magazines in key markets to highlight the firm's impressive diversity to an audience that includes corporate counsel (potential clients) and private practice attorneys (potential hires).



Constangy, Brooks, Smith & Prophete LLP
Law in Living Color

Written By Sarah Torres
Photographed By Byron Motley

Thousands migrate to California every year with dreams of stardom and success. For labor and employment firm Constangy, Brooks, Smith & Prophete LLP, those dreams came true in a very short time.

Already thriving in 21 cities around the country and headquartered in Atlanta, Constangy has built three California offices, a total attorney list in just under four years. The California partners credit its solid national reputation, a commitment to diversity and smart recruitment for its rapid growth.

"It's a great group of people we've brought to the firm, and the clients have really responded," says Ken Sulter, who signed on to lead the practice in California, starting in Los Angeles in 2010. The L.A. office is now made up of 25 lawyers. Eight attorneys in the San Francisco office and two attorneys in the Orange County office round out the rest of the firm's California presence.

Sulter says the California presence was needed both to serve Constangy's existing clients from across the country with operations in California and to tap into the growing needs of California employers, who face significantly more regulation and oversight in labor and employment law than those in other states. To date, these employers include clients like NCAA, NASCAR, Taco Bell, Anthem Blue Cross, Bristol Farms, National Hot Rod Association, Swagelok, Ryder Truck Rental, PacifiCorp, and Prokauer and Torgler.

Employment at Seyfarth. He says that he was attracted to Constangy by Denver partner Steven Moore (who had been co-counsel on a large class action case) as well as executive committee chair Neil Wasserman and lead the firm's California labor and employment practice, particularly in the area of defending class actions and claims under the California Private Attorneys General Act.

METRO ATLANTA EDITION | VOLUME 4 ISSUE 3

ATTORNEY AT LAW
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Law Firm of the Month
Constangy, Brooks, Smith & Prophete, LLP

★ ALL-STAR ISSUE ★

Law Firm of the Month

CONSTANGY, BROOKS, SMITH & PROPHETE, LLP

A New Chapter Begins By Laura Maurice

The stately décor in the Atlanta headquarters office of Constangy, Brooks, Smith & Prophete, LLP reflects the southern heritage of the law firm that was founded in 1946 by Frank Constangy. While the oriental rugs and mahogany furniture may be somewhat "old school," the labor & employment boutique is anything but. On the cusp of its 70th anniversary next year, the firm has become one of the top labor and employment boutique firms in the country, with more than 160 lawyers in 16 states. The management-only firm handles litigation prevention and defense, labor relations, benefits, immigration, wage and hour, occupational safety and health, affirmative action and workers' compensation.

Since 1999, the firm has grown aggressively, opening 19 new offices and expanding its footprint beyond the Southeast. Constangy's grandson, Neil Wasserman, has overseen much of that

growth since being named chair of the firm's executive committee in 2006. Now, Constangy is poised for further growth and reached an important milestone with the addition of name partner and high-profile labor and employment lawyer, Don Prophete, in March. Prophete is the first African-American name partner among the largest 350 law firms in the United States. It's a fact that Prophete and Wasserman are proud of. Indeed, their shared vision of growth and diversity is central to their union. Together, and with the mandate and support of the expanded Constangy team, the two are taking bold steps to re-envision the model for diversity in law firms. Joining Prophete are more than a dozen other lawyers in various markets with whom he worked or knew from prior firms. With the additions, Constangy has opened new offices in Denver and New York. Prophete will divide his time between New York and his home base of Kansas City.

Media Relations

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 **DEFENSE CENTERS OF EXCELLENCE**
For Psychological Health & Traumatic Brain Injury

About DCoE Psychological Health Traumatic Brain Injury Service Members & Families

Home > DCoE Blog > 'People Magazine' Features Real Warriors Campaign Profilee Maj. Jeff Hall

Go Back

Share / Save Recommend 71 people recommend this. Be the first of your friends.

'People Magazine' Features Real Warriors Campaign Profilee Maj. Jeff Hall

Posted by DCoE Public Affairs on February 18, 2013

"I was a broken man ... helping others is my way of paying it forward." — U.S. Army Maj. Jeff Hall

After two tours of duty in Iraq, Maj. Jeff Hall found himself coping with posttraumatic stress disorder, depression and thoughts of suicide. Jeff and his wife Sheri, volunteers for DCoE's **Real Warriors Campaign**, shared their story in the Feb. 18 print issue of "People Magazine."

The couple spoke candidly about how Jeff's experiences during and after deployment affected their marriage and family life. Their decision for help came after Jeff's diagnosis of PTSD. Jeff's wife Sheri, who is also a volunteer for the Real Warriors Campaign, shared her story of how she helped Jeff cope with his PTSD. Jeff's story was also featured in the Feb. 18 print issue of "People Magazine."

He said, "I was a broken man ... helping others is my way of paying it forward."

With support from the Real Warriors Campaign, Jeff and Sheri have been able to get help for his PTSD.

FOX43 CENTRAL PENNSYLVANIA

Stauffers of Kissel Hill

Picked at the Peak of Flavor Sweet Corn
Grown by the Calloway Family, Seaford, Delaware

Home Health

HEALTH

"Real Warriors Campaign" helps veterans battling PTSD


06/17/13 by Anthony Natale Producer Comments (2)


SHARE UPDATE

Ads by Google

Veteran Affairs Loan
Veteran Affairs Loans Made Easy. Get A Quote In 2 Mins - \$0 Down.
www.VeteransUnited.com

"Real Warriors Campaign" helps veterans battling PTSD
Jun. 17, 2013





866-966-1020
www.realwarriors.net

Client: US Department of Defense
Real Warriors Campaign

In nine months of leading the campaign's media relations efforts, we secured 7,895 media clips and 12,500 airings of television and radio PSAs. The campaign received a 2013 PRSA Silver Anvil for outstanding integrated government public relations campaign.

LENS
PHOTOGRAPHY, VIDEO AND VISUAL JOURNALISM

May 15, 2013, 6:10 pm 2 Comments


Still Shooting After the End of War
By ANDREW W. LEHREN



Stacy L. Pressnell

United States Army Sgt. Kyle Ellison searched the roof of a house in Buhriz, Iraq, for weapons during an assault.

Media Relations – oldies but goodies



Media Coverage 2003 Overview

May 12, 2003
National Women's Check-Up Day

Print Highlights

- 172 stories about National Women's Check-Up Day and National Women's Health Week appeared in daily newspapers, reaching a combined audience of more than 10 million people.
- 48 stories in appeared in major papers with a circulation of more than 50,000 people, including:

Washington Post	Asbury Park Press (New York, NY)
Chicago Tribune	Connecticut Post
Arizona Republic	Erie Times-News (Erie, PA)
Atlanta Journal Constitution	Evansville Courier Press (Evansville, IN)
Boston Globe	Honolulu Star-Bulletin
Fort Worth Star Telegram	Sunday News (Lancaster, PA)
Indianapolis Star	Sunday Eagle Tribune (Lawrence, MA)
Orlando Sentinel	Staten Island Advance
Times-Picayune (New Orleans, LA)	Montgomery Advertiser (AL)
Seattle Post-Intelligencer	Mobile Register (AL)
Providence Journal (RI)	Billings Gazette (MT)
Post-Standard (Syracuse, NY)	Columbus Ledger-Enquirer
News & Observer (Raleigh/Durham, NC)	Diario Las Americas (Mid)
Honolulu Advertiser	Gwinnett Daily Post (GA)
Daily Oklahoman (Oklahoma City, OK)	Herald-Sun (Durham, NC)
Memphis Commercial Appeal	Press and Sun-Bulletin (I)
Chicago Daily Herald	Trenton Times (Trenton,
Brooklyn Skyline	

- Stories about National Women's Check-Up Day appeared in more than 100 newspapers with a combined circulation of more than 1.3 million people.
- Five magazines, including Redbook and Black Enterprise ran stories about Women's Check-Up Day and National Women's Health Week.
- U.S. Congresswomen Diane Watson, Jo Ann Emerson and U.S. Senator Murkowski issued press releases in support of National Women's Check-Up Day and National Women's Health Week.
- Congresswoman Ileana Ros-Lehtinen submitted an op-ed to Diario Libre, a leading Hispanic newspaper in Miami.

Client: Office on Women's Health –
National Women's Check Up Day

I managed media relations efforts generating 376 news stories in print, radio and television outlets.

Client: US Department of Health and Human
Services – Healthfinder.gov

I managed media outreach for the launch of
the federal government's first search site,
generating coverage in more than 1,000 media
outlets.



2002 Overview

Print Highlights

Client: Substance Abuse and Mental Health
Services Administration

I managed television PSA distribution that
yielded 1,696 airings on 63 stations
nationwide.

Client: US Centers for Disease Control and
Prevention – National HIV Testing Day

I led media relations efforts that generated
coverage in 783 media outlets.