

# *Firmly Committed To Innovative Employment Law Solutions.*

Employment law contains an intrinsic human component and Rinke Noonan understands and appreciates the importance of cultivating a unique and satisfying employer-employee relationship.



Rinke Noonan is firmly committed to providing exceptional services in all areas of employment law. We make the legal process understandable and keep clients informed at every stage of the engagement. We work directly with business owners, management, and human resources personnel to assist in creating a positive workplace culture.



## **NON-COMPETE, NON-SOLICITATION, EXECUTIVE COMPENSATION AND OTHER AGREEMENTS**

Every business is concerned with competition, keeping its trade secrets, and securing its employees. Employers and employees sometimes enter into employment agreements that often contain restrictive covenants that employees will not compete with the employer, or solicit its employees or customers, during and after employment. Rinke Noonan provides wide-ranging service in this area, such as:

- Reviewing, drafting and enforcing non-compete and non-solicitation agreements;
- Reviewing, drafting and enforcing executive employment agreements;
- Reviewing, drafting and advising on severance and release agreements;
- Counseling on the strengths and weakness of these agreement;
- Advising on hiring issues concerning those who have non-competes with former employers



## **INDEPENDENT CONTRACTORS**

Understanding how to properly hold oneself out as an independent contractor, or to avoid having an independent contractor deemed an employee is crucial. We assist with:

- Reviewing, drafting, and enforcing independent contractor agreements;
- Assisting with government agency audits;
- Counseling about the risks and benefits in using independent contractors;
- Assisting in complying with varying industry specific independent contractor laws; and
- Providing training to learn how to properly interact and do business with independent contractors.

## Innovative Employment Law Solutions



**RINKE NOONAN**

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## RETALIATION/WHISTLEBLOWER CLAIMS

It is unlawful to fire, demote, harass, or otherwise “retaliate” against applicants or employees for engaging in a variety of actions known collectively as “protected activity.”

Including:

- Complaining to an employer about discrimination or harassment;
- Opposing discrimination or harassment in the workplace;
- Filing a discrimination charge with a government agency; or
- Participating in an employment discrimination investigation or lawsuit
- Complaining of unlawful activity

Virtually any significant change in an employee’s conditions of employment can be alleged to be a result of unlawful retaliation. This includes unsavory job assignments, demotions, and benefit adjustments.

## ON-BOARDING AND BACKGROUND CHECKS

EEOC Guidance  
FCRA

Ban the Box  
I-9 Audits

## DISCRIMINATION AND HARASSMENT

Despite general knowledge that discrimination and harassment based on an employee’s protected class is unlawful, claims remain prevalent. In Minnesota it is unlawful to discriminate or harass an employee based on any of the following protected classes:

- Race
- Color
- Creed
- Religion
- National origin
- Sex
- Age
- Marital status
- Familial status
- Disability
- Status with regard to public assistance
- Sexual orientation
- Local human rights commission activity

## WAGE AND HOUR COMPLIANCE

Wage and hour matters are inherent to any employer/employee relationship. This means that at some point during the relationship employers will likely be presented with a significant challenge involving wage and hour law. Some of the most common challenges include:

- Class action / collective actions;
- Overtime;
- Mealtime and break issues;
- Minimum wage;
- Employee misclassification;
- Joint employer concerns;
- Equal pay claims; and
- Wage deductions



# RINKE NOONAN

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**Schedule Your Consultation With  
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## WORKPLACE INVESTIGATIONS

Workplace investigations are a necessary component to managing the work environment. In fact, federal and state harassment/discrimination laws impose a legal duty on employers to investigate employee complaints.

Rinke Noonan’s experienced attorneys can assist you in determining if a workplace investigation is needed and, if so, provide a thorough and strategic investigation accompanied with sound legal guidance.

## DRUG AND ALCOHOL TESTING

Minnesota has a very specific and strict law governing drug and alcohol testing. This law is commonly known as the Minnesota Drug and Alcohol Testing in the Workplace Act (“MNDATWA”).

MNDATWA places a number of requirements on employers who conduct drug or alcohol testing of employees and/or applicants. Additionally, it provides employees with a number of pre and post testing rights which is further complicated by Minnesota’s Medical Cannabis Act (“MCA”).

We have the experience to:

- Draft or revise written drug and alcohol testing policies;
- Advise employers on proper testing of an employee/applicant;
- Advise an employee/applicant of their rights if being asked to submit to a test; and
- Counsel on medical marijuana matters