STAFFING

Our industry-leading experience and understanding of the business and of the legal issues impacting staffing companies empowers you to achieve your business goals. The Taylor English staffing team pulls from a strong background of in-house experience, and includes four former GCs, including the former GC of the U.S. subsidiary of the world’s second largest staffing company. The team also includes senior attorneys with decades of experience at national employment and labor law firms. This high-level experience allows us to understand our staffing clients’ business objectives, the delicate balance between the interests of a staffing company and its customer, and a staffing company’s need to bring predictability to its legal expenditures. We have advised specialized staffing companies in most industries, as well as clients using their services. Our attorneys often collaborate with the American Staffing Association regarding legal and business issues facing the industry.

Representative Clients

- Hospitality Staffing Solutions, LLC
- Staffmark
- Helpmates Staffing Services
- Rightech Corporation
- Spire Workforce Solutions

BUSINESS FORMATION

We advise staffing companies on all aspects of business formation, including choice-of-entity issues and implications for financing strategies. After formation, we work with our clients on governance and operating issues related to their business structure. For mature businesses, we offer guidance on joint ventures and other business combinations.

COMMERCIAL CONTRACTS AND TRANSACTIONS

Our hands-on familiarity and former in-house experience in the staffing industry means that we bring an insider’s perspective to the contractual issues faced by our clients. We prepare, review and negotiate commercial agreements for staffing clients in all types of transactions and relationships.

CORPORATE AND BUSINESS

Our seasoned group of corporate lawyers provides the services that ambitious companies need to grow and thrive. We represent companies, executive, boards and investor groups in matters involving business organization, finance, and operations. Our services include advice on governance, operations, business formation, mergers and acquisitions, all types of transactions and financing. With a roster of more than 35 former in-house counsel, we also are positioned to offer part-time or temporary general counsel services.

EMPLOYEE BENEFITS AND EXECUTIVE COMPENSATION

Our practice advises C-suite executives in compensation and employment agreements, while companies of all sizes rely on us for counsel in setting up and implementing complex benefit plans. We also counsel clients on how to adjust to the changing landscape of health care benefit regulation, including compliance with and the
options available under the Affordable Care Act as that law specifically impacts staffing companies and temporary workers.

**ESOP**

We have represented numerous staffing companies and companies in many other industries in ESOP transactions. These transactions typically involve a sale of stock by one or more owners to an ESOP trust, which is created primarily to hold stock for the benefit of the company’s employees. Company owners often find that ESOP sales are attractive alternatives to an outside sale transaction because of their significant tax benefits and their flexibility. Because most staffing companies have a large payroll base, ESOPs provide a very tax efficient alternative for company owners when they consider retirement or sale of their businesses.

**INTELLECTUAL PROPERTY**

There are more than 17,000 staffing companies in the United States, which sometimes results in confusion about the rights for intellectual property used in promotions and advertising, as well as unique training materials and work processes created by individual companies. IP is a valuable asset in such a competitive industry and staffing companies rely on us to ensure that their information and processes are properly protected and to ensure that the company’s activities do not infringe on the property rights of others.

**LABOR AND EMPLOYMENT RELATIONS**

Our firm has more than two dozen attorneys devoted to employment and labor practice, some of whom oversaw employment issues in in-house roles, including within the staffing industry. We advise on restrictive covenants, as well as compliance with state and federal wage and hour laws, and discrimination, harassment, retaliation and whistleblower laws. We understand the unique legal issues that face staffing companies, recruitment process outsourcing companies, professional employer organizations, outsourcing companies and executive recruiters and the companies that utilize those services.

**TAX**

Some of our most important work for clients is to help them maximize tax efficiency in all aspects of their businesses, including business formation, securities offerings, mergers or acquisitions, and succession planning. We work closely with outside accounting firms to follow changes in state and federal laws and regulations, monitor case law and identify both opportunities and potential problems.

**PRACTICE HIGHLIGHTS**

**General counsel services for temporary staffing and recruitment organizations.** Provide general legal services to several temporary staffing companies and recruitment process outsourcing organizations. Some of these services have included redesigning the client’s contracting process and agreements and assistance in reviewing and negotiating contract terms.

**Pioch v. IBEX Engineering Services, Inc.** Won summary judgment against the plaintiff’s claim for minimum and overtime wages under the Fair Labor Standards Act based upon the fact that the plaintiff was exempt under the computer professional exemption.