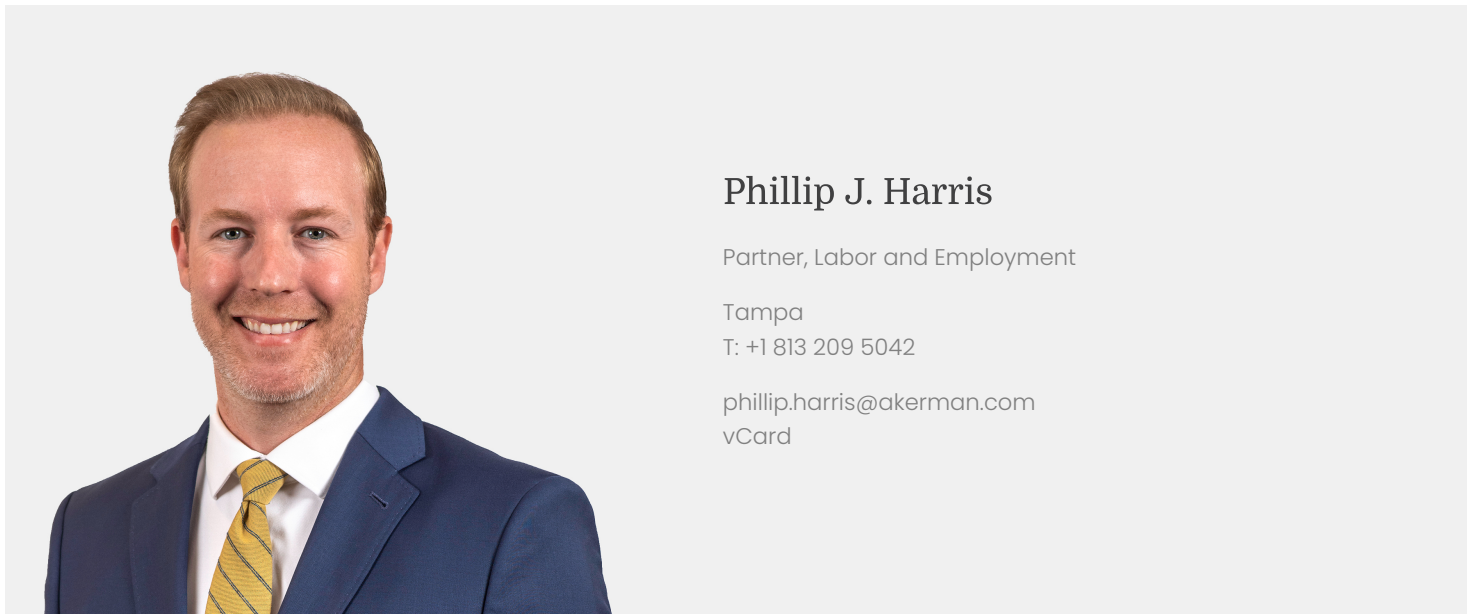


People



Phillip J. Harris

Partner, Labor and Employment

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vCard

Phillip Harris focuses his practice on employment litigation, defending clients in non-compete and trade secret litigation, discrimination, harassment, wage and hour, whistleblower, retaliation, and wrongful termination matters. He defends clients in a variety of venues, including state and federal courts as well as before the Department of Labor, the EEOC, and state and local human rights commissions. He has secured countless dismissals for employers in federal and state courts, as well as with the Department of Labor, the EEOC, the Florida Commission on Human Relations, and the Division of Administrative Hearings.

In addition to establishing himself as a seasoned litigator, Phillip also partners with clients in providing advice on employee hiring, separation, severance, discipline, terminations, demotions, reductions in force, sexual harassment avoidance, and various internal employee investigations. He represents employers in a wide variety of industries, including banking and finance, auto dealerships, installation, correction, manufacturing, healthcare, housing, electrical, insurance, retail, restaurant, and not-for-profit, among others.

Notable Work

United States Supreme Court: Successfully defended a Florida environmental consulting company in a newsworthy religious accommodation case. The District Court Judge granted summary judgment in favor of the company denying the plaintiff's bid to overturn decades-old precedent. The case was briefed to the United States Supreme Court and upheld in company's favor.

USERRA Class Action: Represented a large public employer in a Uniformed Services Employment and Reemployment Rights Act class action. The class alleged that the employer denied employees promotions due to their military service, failed to give military members a veteran's preference, and discriminated against the employees for taking military leave. The court dismissed certain

Areas of Experience

Labor and Employment
 Employment Litigation
 Employment Administrative Claims Defense
 Trade Secrets, Restrictive Covenants, and Unfair Competition

Education

J.D., Stetson University College of Law, 2007, *Stetson Law Review*
 B.S., University of Tampa, 2003

Admissions

Bars

Florida

Courts

U.S. District Court, Northern District of Florida
 U.S. District Court, Middle District of Florida
 U.S. District Court, Southern District of Florida
 U.S. Court of Appeals, Eleventh Circuit
 U.S. Supreme Court

Related Content

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 May 24, 2023

aspects of the plaintiff's claims early in the litigation and ultimately denied the plaintiff's Rule 23 motion for class certification.

FCRA Class Action: Represented a large marine construction contractor in a complex class action case under the Fair Credit Reporting Act. After working diligently with opposing counsel on a creative resolution strategy, the matter was resolved favorably prior to the parties litigating class certification.

FLSA Collective Action: Represented a Florida based pet grooming franchise in several Fair Labor Standards class actions brought, in part, on alleged mis-classification of employees as general contractors. After months of implementing strategy and discovery, all the plaintiffs' attempts to proceed as a collective action were denied.

Summary Judgment Victory/ADA: Represented a large healthcare staffing company in claim where the plaintiff alleged she was not allowed to return to work before completing a fitness-for-duty examination. The plaintiff alleged that requiring her to complete such an examination was discriminatory. Ultimately, the court granted summary judgment in favor of the staffing company.

Summary Judgment Victory/PEO as Employer: Represented a large Florida Professional Employment Organization (PEO) in difficult Florida Civil Rights Act case where the plaintiff suffered amputation after a car accident and was terminated shortly thereafter. The court granted the PEO's motion for summary judgment finding that, for the purposes of the claims at issue, it was not the plaintiff's employer.

Non-Solicitation of Clients/Customers: Represented a management services company against several of its former employees who left to start their own competitive business. The former employees solicited a long list of the management company's customers. After months of litigation, the employees agreed to an injunction, signed a full non-compete, and reimbursed the management company for costs associated with filing suit to enforce the employment agreements.

Non-Compete/Trade Secrets: Represented large financial institution against former employees who left to work for direct competitor. The employees were bound by employment agreements containing enforceable non-compete provisions and the litigation was resolved favorably for the financial institution.

Honors and Distinctions

- *Best Lawyers in America*, 2023-2024, Listed in Florida for Employment Law - Management; Labor Law - Management; Litigation - Labor and Employment
- *Super Lawyers Magazine*, 2013-2022, Listed in Florida as a "Rising Star"
- *Florida Trend Magazine*, 2013, 2021-2022, Legal Elite
- *Tampa Bay Business Journal*, 2016, Up and Comer Under 40

Published Work and Lectures

- Akerman Tampa Breakfast Briefing, Co-Panelist, "Breakfast, Lunch, and L&E: What's Hot in Employment Law," May 24, 2023