

Lisa K. Berg



Shareholder

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PRACTICE AREAS

Labor & Employment

Hospitality & Leisure

Banking & Financial Institutions

Arts, Sports & Culture

Cybersecurity

Healthcare

Transportation

Technology

OVERVIEW

Lisa Berg is a Shareholder in the Labor & Employment Law Department. Lisa provides advice and counseling to employers of all sizes to minimize risk of labor & employment litigation.

Lisa exclusively represents management in labor & employment matters, and has experience in a diverse group of industries, including healthcare, pharmaceutical, information technology, education, airline, manufacturing, automobile, legal, housing, construction, arts, professional sports, propane, banking, real estate, financial, hospitality, and retail.

An important focus of Lisa's practice is litigation avoidance and identifying problems before they occur. To this end, she has assisted many clients in designing and implementing personnel policies and procedures; drafting employment, consulting, and non-competition agreements; conducting internal audits to identify potential legal problems; investigating sexual harassment and other unlawful discrimination charges; training supervisors regarding compliance with all applicable labor and employment laws; and managing employee terminations. On a daily basis, Lisa provides advice to clients concerning all aspects of the employment relationship, such as: reductions-in-force; employee discipline, evaluation and discharge; wage and hour practices; accommodation of disabilities; family and medical leave; drug abuse and testing; and workplace privacy and data security. In addition, Lisa appears before the EEOC and state and local EEO agencies to handle charges or complaints of discrimination, and works with in-house legal counsel and human resource professionals to prepare position statements and produce other data designed to prevent potential lawsuits.

Lisa also has considerable expertise in all areas of traditional labor law, including management of company responses to union organizational campaigns (both corporate campaigns and election petitions), representation of employers during representation case hearings before the National Labor Relations Board, training supervisors to avoid unfair labor practice charges, litigation of unfair labor practice

charges, prevention and management of picketing and strikes, negotiation of collective bargaining agreements, development of policies and procedures to maintain a union-free workplace, arbitrating grievances, managing union decertifications, and establishing positive working relationships with unions already representing clients' employees. In addition, Lisa counsels clients on union avoidance and has conducted hundreds of seminars for clients and professional organizations on how to remain union-free.

Prior to joining the Firm, Lisa gained legislative experience working in Washington, D.C. for Congressman Matthew McHugh, as well as with the American Israel Public Affairs Committee ("AIPAC"). Lisa also clerked for the United States Department of Justice, Office of Special Investigations, the division assigned to prosecute Nazi war criminals. She was selected by the U.S. Government to work in former East Germany (Alexanderplatz), shortly after the fall of communism, to research Nazi and concentration camp files in the East German National Archives.

Lisa is a regular contributor to the firm's labor and employment law blog, [BeLabor the Point](#) and is a Co-Editor and contributor to the [Florida Employment Law Letter](#).

REPRESENTATIVE EXPERIENCE

Successfully defeated numerous union organizing campaigns.

Handles grievances, arbitrations, and mediations.

Develops employee handbooks and supervisor manuals for employers of all sizes and industries.

Assists clients in drafting enforceable employment, consulting, nondisclosure, and noncompetition agreements.

Conducts internal audits to identify potential legal problems under a broad category of labor and employment laws.

Conducts internal investigations, including claims of discrimination and harassment.

Assists clients with developing cybersecurity policies, processes, and training to reduce the risk of a workplace data security breaches and respond appropriately when one occurs.

Conducts companywide and supervisor training on a variety of topics, including workplace harassment, EEO compliance, FMLA, ADA, military leave, workplace violence, litigation prevention, background checks, and layoffs.

Advises clients concerning all aspects of the employment relationship, such as: reductions-in-force, corporate restructuring, employee hiring, discipline, evaluation, discharge, and retention; wage and hour practices; accommodation of disabilities; family and medical leave issues; drug abuse and testing; workplace technology, and employee privacy issues.

Defends employers in claims brought under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Law, the Equal Pay Act, the Americans with Disabilities Act, the Family and Medical Leave Act, and other federal, state and local EEO laws and regulations.

Handles disputes involving the Fair Labor Standards Act (including Department of Labor investigations), the Occupational Safety and Health Act, and the WARN Act (which regulates plant closings and mass layoffs).

Regularly appears before the EEOC and state and local EEO agencies to handle charges or complaints of discrimination, and works with in-house legal counsel and personnel departments to prepare position statements and produce other data designed to prevent potential lawsuits.

Handles due diligence regarding complex labor and employment law issues in corporate acquisitions and sales.

Defends charges and claims of housing discrimination, including fair housing issues involving tax credit properties.

PROFESSIONAL & COMMUNITY INVOLVEMENT

Miami City Ballet: Board of Trustees (2005-2012); Pro Bono Counsel (1992-present)

Greater Miami Jewish Federation (GMJF): Board of Directors (2008-2010); Past Chairman, Board of Directors of Young Leadership Division (YLD) (2003-2004/2004-2005); Leadership Council (2005-present)

American Jewish Committee (AJC): Board of Directors (2008-present); Chair of Nominating Committee (2009-present); Chair of ACCESS (Young Leadership Division of AJC in Miami) (2008-2010); Sholom Comay Fellowship (2007 to 2008)

Academy of Florida Management Attorneys (AFMA), Director & Sergeant at Arms, 2017; Treasurer, 2018

Jewish Federations of North America: National Young Leadership Cabinet (2003-2010)

United Way: Young Leaders Society (2000-2007)

Dade County Bar Association Member (1993-2012)

American Bar Association Member (1993-present); ABA, Committee on Practice and Procedure Before the NLRB (2002-2008)

RECOGNITION

Florida Super Lawyers: Star Search (2010)

Greater Miami Jewish Federation Stanley C. Myers Presidents' Young Leadership Award recipient (2009)

American Jewish Committee's prestigious Sholom Comay Fellow (2007-2008)

South Florida Business Journal's Up and Comer's Award Winner (2002)

South Florida Legal Guide, Up-and-Coming Attorneys in South Florida (2002)

South Florida Business Journal's Up and Comer's Finalist (2001)

AV Rated by Martindale-Hubbell

PUBLICATIONS & PRESENTATIONS

Publications: Co-Editor, [Florida Employment Law Letter](#)

| January 2019

Events: “Why Does the FMLA Make Your Head Explode? Top 10 Most Common Employer Mistakes”

Brightline Training Seminar | | January 2019

Publications: Co-Editor, Florida Employment Law Letter

| December 2018

Publications: Florida’s minimum wage increasing to \$8.46 on January 1

Florida Employment Letter | | November 2018

Publications: Is Your Office Halloween Party Frightening The HR Department?

BeLabor the Point | October 2018

Publications: New FCRA model background

Florida Employment Letter | | October 2018

Publications: Co-Editor, Florida Employment Law Letter

| September 2018

Publications: Company freed from liability in harassment case based on prompt complaint response

Florida Employment Law Letter | August 2018

Events: Employee Handbooks

8th Annual South Florida's Premier Labor & Employment Law Conference | | August 2018

Publications: Common Sense Prevails in NLRB’s New Guidance on Handbook Policies

Florida Employment Law Letter | July 2018

Publications: Epic Decision: SCOTUS OK’s Class Waivers in Arbitration Agreements

Florida Employment Law Letter | June 2018

Publications: Does the EEOC Have Your E-mail Address?

BeLabor The Point Blog | June 2018

Publications: Co-Editor, Florida Employment Law Letter

| May 2018

Events: You Don't Know What You Don't Know About the ADA

Stearns Weaver Miller's 28th Annual Labor and Employment Law Seminar | | April 2018

Publications: Employer Not Required to Approve Employee's Request Not to Work Sabbath

Florida Employment Law Letter | April 2018

Publications: Telecommuting: Is Your Physical Presence at Work an Essential Job Function?

Florida Employment Law Letter | March 2018

Publications: Apples to Apples: 11th Circuit Holds Comparators Must Be ‘Nearly Identical’

Florida Employment Law Letter | February 2018

Events: [Advanced Skills for Employee Leave Management](#)

2018 FMLA Master Class: Florida | | February 2018

Events: [Family and Medical Leave Act](#)

The Florida Bar 18th Labor and Employment Law Annual Update and Certification Review | | January 2018

Publications: [A December to Remember: NLRB Delivers Early Holiday Gifts to Employers](#)

Florida Employment Law Letter | January 2018

Publications: [EEOC Reminds Employers of Best Practices for Providing Workplace Accommodations](#)

Florida Employment Law Letter | December 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

| November 2017

Events: [Providing Workplace Accommodations under the ADA](#)

EEOC Training Institute | | October 2017

Publications: [Halloween is a Scary Time for Employers](#)

BeLabor the Point Blog | October 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

| October 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

| September 2017

Publications: [Preparing for battle: how to avoid termination land minds](#)

Florida Employment Law Letter | August 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

| July 2017

Publications: [Cyberattack: All Eyes On HR](#)

BeLabor The Point Blog | June 2017

Publications: [Cyberwarfare in the workplace: HR on the front lines](#)

Florida Employment Law Letter | June 2017

Events: [Cyber Warfare in the Workplace: HR on the Frontlines](#)

Stearns Weaver Miller's 27th Annual Labor and Employment Law Seminar | | May 2017

Publications: [Don't get tripped up: Learn rules of the road on compensability of travel time](#)

Florida Employment Law Letter | May 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

| April 2017

Publications: [Co-Editor, Florida Employment Law Letter](#)

March 2017

Events: [Advanced Skills for Employee Leave Management](#)

2017 FMLA Master Class: Florida | February 2017

Publications: [11th circuit emphasizes importance of determining essential job functions](#)

Florida Employment Law Letter | February 2017

Events: [Family and Medical Leave Act](#)

The Florida Bar 17th Labor and Employment Law Annual Update & Certification Review | January 2017

Publications: [Florida's Medical Marijuana Constitutional Amendment Takes Effect Today](#)

BeLabor The Point Blog | January 2017

Publications: [ADA doesn't require reassignment of employee without competition](#)

Florida Employment Law Letter | January 2017

Publications: [Florida medical marijuana amendment leaves employers high and dry](#)

Florida Employment Law Letter | December 2016

Events: [FMLA Compliance](#)

GMSHRM Supervisor Toolkit Seminar | November 2016

Publications: [Florida's minimum wage will rise in 2017](#)

Florida Employment Law Letter | November 2016

Publications: [Co-Editor, Florida Employment Law Letter](#)

October 2016

Publications: [Co-Editor, Florida Employment Law Letter](#)

| September 2016

Publications: [What Employers Need to Know about Zika](#)

BeLabor The Point Blog | August 2016

Publications: [Taking the sting out of Zika: what Florida employers need to know](#)

Florida Employment Law Letter | August 2016

Publications: [4 leave and accommodation policies that could land you on the EEOC's radar](#)

Florida Employment Law Letter | August 2016

Publications: [Offer letters: the definitive top 10 list for employers](#)

Publications: Co-Editor, Florida Employment Law Letter

| June 2016

Events: FMLA Master Class - So You Think You Know it All

Stearns Weaver Miller's 26th Annual Labor and Employment Law Seminar | | May 2016

Events: 10 Ways to Curb Intermittent FMLA Leave Abuse

Stearns Weaver Miller's 25th Annual Labor & Employment Law Seminar | | May 2016

Publications: Co-Editor, Florida Employment Law Letter

| May 2016

Publications: You Show me Yours and I'll Show You Mine...Or Not!

BeLabor the Point Blog | April 2016

Publications: Misconduct discovered during FMLA leave justifies termination

Florida Employment Law Letter | April 2016

Events: 2016 FMLA Master Class: Florida - Advanced Skills for Employee Leave Management Seminar

Hilton Miami Downtown | | March 2016

Publications: Co-Editor, Florida Employment Law Letter

| March 2016

Publications: NLRB finds employer's prohibition on workplace recordings unlawful

Florida Employment Law Letter | February 2016

Publications: Employers, be warned: The WARN Act may apply to you

Florida Employment Law Letter | January 2016

Publications: My Top Ten Ways to Avoid Being Sued in 2016

BeLabor the Point Blog | December 2015

Publications: Co-Editor, Florida Employment Law Letter

| December 2015

Publications: Top 10 mistakes in FMLA policies

Florida Employment Law Letter | November 2015

Events: The Day Catastrophe Checked In-How will Your Hotel Respond?

South Florida Hospitality Human Resources Association | | October 2015

Publications: Co-Editor, Florida Employment Law Letter

| October 2015

Publications: [New Florida law offers employers protection against hackers](#)

HR Laws.com | September 2015

Events: [ADA & FMLA Compliance](#)

Greater Miami Society for Human Resource Management Supervisor Toolkit Seminar | | September 2015

Publications: [Victims of Domestic Violence and Stalking: Protections at Work](#)

BeLabor the Point Blog | September 2015

Publications: [CADRA protects you against unauthorized access of computers and data](#)

Florida Employment Law Letter | September 2015

Publications: [Co-Editor, Florida Employment Law Letter](#)

| August 2015

Publications: [DOL releases revised FMLA forms](#)

Florida Employment Law Letter | July 2015

Publications: [Supreme Court's Same-Sex Marriage Ruling: Time to Update Your FMLA Policy \(Again!\)](#)

BeLabor the Point Blog | June 2015

Publications: [Extra! Extra! Read All About It! New FMLA Forms Are Here!](#)

BeLabor the Point Blog | June 2015

Publications: [Co-Editor, Florida Employment Law Letter](#)

| June 2015

Publications: [NLRB General Counsel issues guidance on lawful handbook policies](#)

Florida Employment Law Letter | April 2015

Publications: [FMLA notices by U.S. mail may not be enough](#)

HR Laws | March 2015

Events: [Overcome Compliance and Employee Leave Challenges](#)

2015 FMLA Master Class for Florida Employers | | March 2015

Publications: [Co-Editor, Florida Employment Law Letter](#)

| March 2015

Publications: [Co-Editor, Florida Employment Law Letter](#)

| February 2015

Publications: [Court rules ADA doesn't protect employee who committed misconduct](#)

Florida Employment Law Letter | January 2015

Publications: [FMLA notices by U.S. mail? That may be insufficient](#)

Florida Employment Law Letter | November 2014

Events: [Back by Popular Demand: New Mental Disorders Could Lead To Spike in ADA Claims](#)

Stearns Weaver Miller Labor & Employment Breakfast Series | | October 2014

Publications: [Bring Your Own Device \(BYOD\) Policy – 10 Tips for Protecting Your Business](#)

BeLabor the Point Blog | September 2014

Publications: [Florida strengthens data breach notification law](#)

Florida Employment Law Letter | August 2014

Publications: [New mental disorders could lead to spike in ADA claims](#)

Florida Employment Law Letter | June 2014

Publications: ["Right to Work" and "Employment at Will"](#)

BeLabor the Point Blog | May 2014

Publications: [Co-Editor, Florida Employment Law Letter](#)

| May 2014

Events: [New Mental Disorders Could Lead To Spike In ADA Claims](#)

Stearns Weaver Miller's 24th Annual Labor and Employment Law Seminar | | May 2014

Publications: [Co-Editor, Florida Employment Law Letter](#)

| April 2014

Events: [Overcoming Compliance and Employee Leave Challenges](#)

2014 FMLA Master Class for Florida Employers | | March 2014

Publications: [How to curb intermittent FMLA leave abuse](#)

Florida Employment Law Letter | March 2014

Publications: [Co-Editor, Florida Employment Law Letter](#)

| February 2014

Publications: [It's 2014: Are you using the correct forms to conduct background checks?](#)

Florida Employment Law Letter | January 2014

Events: [Your Employee Handbook: Dead Sea Scroll, Pulp Fiction or Blockbuster Bestseller?](#)

Stearns Weaver Miller's 23rd Annual Labor and Employment Law Seminar | | August 2013

Publications: [Florida Employment Law Manual](#)

Florida Chamber of Commerce | January 2013

Publications: [Pocket Guide to Florida Employment Laws, 2012, 2013, 2015, 2016, 2017](#)

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Events: [The Interactive Process and the Interplay of the ADA, FMLA, and Workers' Compensation](#)

EEOC Training Institute | | September 2012

Events: [Pocket Guide to the ADA Amendments and EEOC's Final Regulations](#)

The Seminar Group, Labor & Employment Law Conference | | September 2012

Events: [Tips on Tackling Reasonable Accommodation Requests](#)

Stearns Weaver Miller's 22nd Annual Labor and Employment Law Seminar | | May 2012

Publications: [¿Algunos de sus empleados hablan Español? \[Do some of your employees speak Spanish?\] If so, NLRB's Employee Rights Poster is Now Available in Spanish](#)

BeLabor the Point Blog | October 2011

Events: [Hitting the Reset Button: How New Fiscal Realities Demand a Different Approach for Public Sector Bargaining](#)

Stearns Weaver Miller Labor & Employment Breakfast Series | | September 2011

Events: [Pocket Guide to the ADA Amendments and EEOC's Final Regulations](#)

The Seminar Group, Labor & Employment Law Conference | | September 2011

Publications: [NLRB Issues Final Rule Requiring Posting of Notice to Employees](#)

BeLabor the Point Blog | August 2011

Events: [ADAAA Advanced Compliance Training](#)

Stearns Weaver Miller Labor & Employment Breakfast Series | | June 2011

Events: [Navigating The Unemployment Compensation Appeals Maze](#)

Stearns Weaver Miller's 20th Annual Labor and Employment Law Seminar | | May 2010

Events: [HR Insights 2010-The Conference Not Just for HR Professionals](#)

Greater Miami Chamber of Commerce | | April 2010

Events: [Florida Employment Laws: The Rules are Different Here!](#)

HR Florida 2009 31st Annual Conference & Expo | | August 2009

Events: [All In The Family \(Leave\)](#)

Stearns Weaver Miller's 19th Annual Labor and Employment Law Seminar | | May 2009

Events: [Employment Law Speed Dating](#)

Stearns Weaver Miller's 18th Annual Labor & Employment Law Seminar | | May 2008

NEWSROOM

In the Media: [FMLA: A Primer for HR](#)

Society For Human Resource Management Magazine | | February 2018

In the Media: [Spread of Zika Virus Raises Legal Issues for Employers](#)

Bloomberg BNA | | August 2016

Firm Announcements: [Stearns Weaver Miller Presents 26th Annual Labor & Employment Law Seminar](#)

| March 2016

In the Media: [It's August and the office is freezing: Why is that and what should HR do?](#)

HR Hero | | August 2015

Firm Announcements: [Stearns Weaver Miller Presents 25th Annual Labor & Employment Law Seminar](#)

| April 2015

Firm Announcements: [Stearns Weaver Miller Presents 24th Annual Labor and Employment Law Seminar](#)

| April 2014

Firm Announcements: [Lisa Berg Receives Jewish Federation Young Leadership Award](#)

| March 2009

Firm Announcements: [Stearns Weaver Miller Hosts 18th Annual Seminar on Labor and Employment Law](#)

| April 2008

EDUCATION

J.D., Emory University, 1992

B.S., Cornell University, 1989

ADMISSIONS

Florida

CERTIFICATIONS

Board Certified by The Florida Bar in Labor and Employment Law