



Avery R. Miller

Associate

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OVERVIEW

Avery Miller is an associate in the firm's Labor, Employment, and Workplace Safety practice. She focuses on defending employers in civil and administrative employment litigation matters, assisting clients in drafting and modifying employment related agreements, and conducting diligence regarding complex labor and employment issues relating to mergers and acquisitions.

Avery regularly advises employers on a wide variety of labor and employment issues, including employee separations, restrictive covenants, and compliance with the Fair Labor Standards Act and various state wage and hour laws. She assists clients in ensuring compliance with affirmative action program requirements, including the development and implementation of affirmative action plan documents. She also advises clients relating to compliance with the Americans with Disabilities Act, including accommodations and accessibility regarding continuing professional education examinations, website accessibility, and physical buildings and facilities.

PROFESSIONAL BACKGROUND

Previously, Avery served as a summer associate for the firm. Prior to joining the firm, Avery served as a legal intern for a global financial services company.

EDUCATION

- J.D., Wake Forest University School of Law, 2019
- B.S., Elon University, 2014

ADMISSIONS

- Bar of North Carolina

THOUGHT LEADERSHIP *POWERED BY HUB*

- 26 February 2024, 2023 Health Care Employment Law Year in Review

- 1 February 2024, Twelfth Annual "Under the Wire" CLE Webinar
- February 2023, Eleventh Annual "Under the Wire" CLE Webinar
- 6 January 2023, FTC Proposes Sweeping Ban on Employee Noncompete Clauses: What Employers Need to Know, Proposed Alternatives, and Opportunity for Public Comment
- April 2022, The First OFCCP Directives Under Biden - What's New for 2022
- 22 March 2022, Federal Agencies Signal Further Hostility Towards Noncompetition Agreements
- 18 March 2022, OFCCP and Federal Contractors are Significant Focus of Executive Branch Actions for Equal Pay Day
- February 2022, Tenth Annual "Under the Wire" CLE Webinar
- 17 February 2021, COVID-19: Are Your Workplace Safety Compliance Policies Medium-Rare or Well-Done?
- 16 February 2021, Employment Law Developments that will Impact the Health Care Industry in 2021
- 27 January 2020, Employment Law in the Health Care Industry: 2019 Year in Review
- 16 December 2019, K&L Gates Working Wise: 2019 Family and Medical Leave Act of 1993 Department of Labor Opinion Letter Updates

OTHER PUBLICATIONS

- OFCCP and Federal Contractors Are Significant Focus of Recent Executive Branch Actions, *Pratt's Government Contracting Law Report*, June 2022

NEWS & EVENTS

- 2 February 2023, "Under the Wire" CLE Seminar
- 14 April 2022, The First OFCCP Directives Under Biden - What's New for 2022
- 25 January 2022, K&L Gates Advises Soho Square Capital LLP on Investment and Partnership with Oliver James
- 1 September 2021, K&L Gates Advises Megaport (USA) Inc. in Acquisition of InnovoEdge Inc.
- 4 December 2020, K&L Gates Again Advises Red Ventures on Pending Sale of CNET Content Services to 1WorldSync
- 18 September 2020, K&L Gates Advises Red Ventures on USD \$500 Million Acquisition of CNET Media Group from ViacomCBS

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- OFCCP and Affirmative Action Compliance

REPRESENTATIVE EXPERIENCE

- Counseled large digital media company on employee-related matters concerning its \$500 million acquisition of and subsequent divestiture of a portion of multinational mass media conglomerate's business.
- Provided assistance to large private hospital regarding OCR investigation into facility ADA compliance
- Advised federal contractor clients, including health care facilities, business and software consulting firms, and airlines, regarding affirmative action plan development, implementation, and compliance
- Conducted internal investigation into allegations of executive misconduct against nonprofit executive
- Provided comprehensive review and redrafting of company policies for businesses in a wide variety of industries, including construction and logistics
- Obtained favorable resolution of wage investigation by the California Labor Commissioner's Office on behalf of global technology consulting and services company
- Defended transportation company and obtained favorable settlement of collective action wage and hour lawsuit claiming off-the-clock work
- Advised a publicly traded technology company on employment-related issues concerning its acquisitions of an e-learning provider and a targeted intent data research organization
- Successful resolution of breach of employment contract claim by former employee against international manufacturing client
- Counseled with respect to employment-related matters a publicly-traded specialty contractor that provides fully integrated solutions for the electric power, pipeline, industrial and communications industries on its acquisition of a provider of specialty construction services
- Obtained favorable resolution in Equal Employment Opportunity Commission investigation of disability, national origin, race, and age discrimination charge against global technical support organization
- Provided transactional assistance relating to private equity client investment into multi-state transportation and logistics provider employer
- Obtained administrative dismissal by Equal Employment Opportunity Commission of disability discrimination and retaliation charge against fully integrated biopharmaceutical solutions organization
- Conducted investigation into allegations of workplace harassment and discrimination for medical device supplier

- Successful resolution of federal age discrimination claims arising from a failure to hire a prospective employee
- Provided policy analysis and developed legislative funding proposals for leading anti-human trafficking organization on a pro bono basis
- Advised 501(c)(3) nonprofit regarding employment issues relating to minor wage and hour issues
- Obtained favorable resolution of significant Department of Labor wage-and-hour investigation for franchising company
- Successful resolution of former employee claim of sex discrimination against medical services billing provider
- Provided labor and employment-related diligence in acquisition of company in the business of global technical support services