



Christie M. Hayes

Shareholder

Johnson City (Tri-Cities) | 423.928.7652 | chayes@bakerdonelson.com

Christie Hayes, managing shareholder of Baker Donelson's Tri-Cities, Tennessee/Virginia office, represents employers and management in a broad range of employment law issues, partnering with clients to defend cases under a multitude of federal and state discrimination and harassment laws, workers' compensation, OSHA, and the Defense Base Act.

Ms. Hayes routinely provides practical and business-oriented advice to clients facing complex employment law issues involving discipline and terminations, leave, disability accommodation, policy creation and enforcement, drug-free workplace, and similar matters. She is licensed in both Tennessee and North Carolina and regularly assists clients with internal and state/federal investigations involving harassment and discrimination and proactive training and policy development. Ms. Hayes excels at providing savvy and practical advice to clients about the risks and benefits associated with the everyday handling of employment law issues, including FMLA, ADA, FLSA, ERISA, OSHA, Title VII, workers' compensation, unemployment compensation, and the Longshore and Harbor Workers' Compensation Act, as extended by the Defense Base Act.

Ms. Hayes represents a wide variety of employers, but has particular experience advising staffing agencies, quick service restaurants, manufacturing clients, construction companies, health care providers, and non-profits, as well as two local municipalities, on the ever-changing landscape of daily employment law issues. She routinely handles and advises clients in conjunction with audits conducted by the Tennessee Department of Labor and the U.S. Department of Labor. Ms. Hayes also handles traditional labor matters that evolve into arbitrations and unfair labor practice proceedings before the NLRB.

As a litigator, Ms. Hayes has significant experience before various administrative agencies, including the Department of Labor, Tennessee Court of Workers' Compensation, North Carolina Industrial Commission, EEOC, OSHA, NLRB, and THRC. She is a regular practitioner in the Court of Workers' Compensation and her skill set expands beyond the routine defense of workers' compensation claims. She handles high-exposure complex occupational exposure and death cases and routinely advises clients on the interaction between workers' compensation, FMLA, and ADA.

She defends employers in a multiple of state and federal courts throughout the country. In addition to her labor and employment practice, Ms. Hayes is a skilled litigator involved in the extensive representation of real estate companies in the defense of breach of contract and misrepresentation cases. Further, she works with financial and credit institutions, banks, and commercial equipment creditors with loan recovery matters, including collection actions and workout strategies.



Representative Matters

- The United States Court of Appeals affirmed summary judgment for the defendant employer in a Defense Base Act case involving the successful application of a legal defense barring the claim of the employee.
- Successfully defended numerous employers in workers' compensation cases involving causation, apportionment issues, and other defenses, resulting in the denial of all benefits for claimant employees.
- Represented a casino during the NLRB's investigation of charges of unfair labor practices filed against it. Upon completion of the investigation, all charges were withdrawn.

- Obtained summary judgment and dismissal of all claims for a worldwide retailer in a premises liability case.
- Represented a construction contractor where the State of Tennessee Occupational Safety and Health Review Commission agreed to completely dismiss a complaint after diligently asserting defenses for the employer related to alleged citations and penalties under OSHA.
- Represented a municipality in a contentious investigation involving a dozen employees wherein the complainant decided not to pursue any recourse or proceed with her administrative complaint.
- Handled a jury trial for a client wherein the jury verdict was less than half the amount of a prior settlement offer by the client in a premises liability matter.
- Defeated claims for breach of contract against a real estate company client, resulting in no recovery for purchasers.
- Representation of various financial institutions in commercial loan litigation involving novel issues of law, including complex statute of limitations and default issues.
- Negotiated a favorable settlement on behalf of a major bank, whereby a borrower who had refused to offer any payment agreed to make a lump sum payment of \$120,000.



Professional Honors & Activities

- Listed in *The Best Lawyers in America*® in Workers' Compensation Law - Employers (2018 – 2021)
- Listed in *Mid-South Rising Stars* (2013 – 2019)
- Member – American, Tennessee and Washington County Bar Associations
- Named "Top 40 Under 40," *Tri-Cities Business Journal* (2012)
- Legal Aid of East Tennessee – Honor Roll Recipient on various occasions
- Recipient – Baker Donelson Tri-Cities (Tennessee) Pro Bono Attorney of the Year (2020)
- Recipient – Baker Donelson Johnson City Pro Bono Award (2011)
- Recipient – Pro Bono Attorney of the Year, Legal Aid of East Tennessee (2011)



Publications

- "Employers Should Stop and Take Heed of Misclassifying Workers in 2024 under New DOL Rule," republished by HR.com (January 2024)
- "OSHA Issues Emergency Temporary Standard Requiring COVID-19 Vaccinations or Tests" (November 2021)
- "Tennessee General Assembly Enacts COVID-19 Legislation that Impacts Tennessee Employers" (November 2021)
- "What Every Employer Should Know About President Biden's Path Out of the Pandemic Plan" (September 2021)
- "OSHA Updates COVID-19 National Emphasis Program and Interim Enforcement Response Plan" (July 2021)
- "COVID-19 Expected to Create a Tidal Wave of Workers' Compensation Claims: Is Your Business Ready for the Tsunami?," republished in *Law360* (June 4, 2020)



Speaking Engagements

- "The Alphabet Soup of Employment Laws," Johnson City Chamber Executive Briefing (September 2022)
- "Reasonable Accommodations and Handling Employee Leave," Tennessee Society of Healthcare Human Resources Administration Conference (September 2022)
- "Investigations: The Good, The Bad, & The Ugly," TN SHRM (September 2022)
- "Workplace Retaliation: Don't Get Mad and Don't Get Even!" (September 2019)
- "Ask Us Anything" (July 2019)

- "Tennessee Workers' Compensation: 2018 and Beyond," 23rd Annual Urgent Issues for Modern Employers Labor & Employment Law Seminar (March 2019)
- "Guns, Drugs and Videotapes," Annual Employment Law Update, Kingsport, Tennessee (February 2012)
- "Tennessee Workers' Compensation: The Year In Review," Annual Employment Law Update, Kingsport, Tennessee (2005-2012)
- "Tennessee Workers' Compensation: A Return to Sanity," Greene County Safety Exchange (January 2012)
- Employment Law Basics Seminar Series, presented six-part series in Morristown, Elizabethton and Erwin (2010-2012)



Webinars

- Helping Businesses Navigate the DOL's 2024 Independent Contractor Rule (February 2024)
- OSHA Issues Emergency Temporary Standard Requiring COVID-19 Vaccinations or Tests (November 2021)
- OSHA Compliance in the COVID-19 Era (June 2021)
- Regions/Baker Donelson Webinar: Mid-Pandemic Topics and Trends in Financial Services – CFPB Regulation F Changes (May 2021)



Education

- Pennsylvania State University, Dickinson School of Law, J.D., 2004
- Vanderbilt University, B.A., 2001



Admissions

- Tennessee, 2004
- North Carolina, 2010
- U.S. District Court for the Eastern District of Tennessee, 2006
- U.S. District Court for the Western District of North Carolina, 2012
- U.S. District Court for the Eastern and Middle Districts of North Carolina, 2017