Dena H. Sokolow

Office Managing Shareholder
Tallahassee | 850.425.7550 | dsokolow@bakerdonelson.com

Dena H. Sokolow, office managing shareholder in Baker Donelson's Tallahassee office, has more than 25 years of experience counseling and defending employers and management on a wide range of labor and employment matters.

Dena H. Sokolow's litigation experience includes arbitrations, class/collective actions, single and multiple plaintiff lawsuits, administrative proceedings involving employment discrimination and harassment, retaliation, wage and hour, state whistleblower claims and common law claims. With a practice spanning Florida, Georgia, Alabama and beyond, Dena has handled virtually every type of employment law issue. Dena's clients range from start-ups to Fortune 100 companies.

Dena partners with her clients to best position them to avoid employment law claims or, at a minimum, put the company in the strongest position to defend such claims. Dena is frequently asked to both speak and write/contribute to articles on employment law issues. She also conducts customized management and employee training on a variety of topics that are specifically tailored to each employer's policies, practices and particular needs. Dena regularly works with her clients to audit their employment practices and policies to ensure compliance with federal and state employment legal requirements.

One focus area of her practice is representing and counseling her clients on federal and state wage and hour issues. Dena represents employers in both single plaintiff and collective action cases as well as Department of Labor audits. She has successfully negotiated significant savings and benefits on behalf of her clients who were found by the DOL to have wage and hour violations. Dena works closely with her clients to ensure compliance with federal and state wage and hour laws and assists them, when necessary, in implementing changes and transitions. She reviews such issues as pay classification, calculations of overtime pay, and pay equity.

Before entering law school, Dena was an HR generalist at a staffing company, and during her legal career she owned and ran an HR consulting business. Dena has spent her entire career working in, with or for human resources.

Representative Matters

- Granted attorneys' fees in a Title VII race discrimination case after prevailing on a Motion for Summary Judgment and subsequent appeal to the 11th Circuit Court of Appeal.
- Represented a title company in a Department of Labor wage and hour audit where the DOL was alleging the company owed in excess of $120,000 in unpaid overtime. Negotiated with DOL and assisted in recalculation of the DOL's figures. Company paid less than $15,000.
- Effectively defended a national supplier of soft drinks and chips in a national origin discrimination case where the former employee appealed a "No Cause" determination from the Florida Commission on Human Relations to an administrative hearing and then an appellate court.
- Successfully argued a new interpretation of the Florida Public Employees' Relations Act before Florida's First District Court of Appeal.
- Represented a large national fast food franchisee in a multi-party employment discrimination lawsuit filed in Florida. The plaintiffs worked for the client for over 30 years and were seeking in excess of $3 million. After coming to an impasse at early mediation and engaging in discovery to expose

weaknesses in the case, negotiated a reasonable, deeply discounted settlement, well below the authorized settlement amount from the client.
- Managed an audit team which used the Firm's proprietary FLSA Audit Portal to conduct an internal classification audit and work with the DOL on a contemporaneous external audit for a 15,000-employee client. The two-phased internal audit involved more than 450 managerial interviews and more than 500 position evaluations. The DOL accepted and relied upon our internal audit findings for 90 percent of the positions under its audit. Baker Donelson also provided guidance to the company on potential job duties restructuring to qualify certain positions for exemption, assisted in back-pay calculations, and advised on reclassification of the positions.

Professional Honors & Activities

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Listed in *The Best Lawyers in America*® for Litigation - Labor and Employment and Employment Law - Management (2024)
- Listed in *Florida Super Lawyers* in Employment and Labor: Employer (2017 – 2019)
- Member – State Bar of Georgia
- Member – The Florida Bar
- Member – Alabama State Bar
- Member – American Bar Association, Labor and Employment Section
- Member – Society for Human Resource Managers
- *Florida Trend Magazine* "Legal Elite" in Labor & Employment Law (2013, 2018, 2019)

Publications

- "Tight Around the White Collar – The New Overtime Rule is Here" (April 2024)
- "Baker's Dozen: What Are Your Best "Balance" Tips?," *Women's Initiative Newsletter* (June 2023)
- "Protected Activity? *Think Again*.," republished in the *Daily Business Review* (October 2022)
- "Sitting Down with "Work-Life Warrior" Jennifer Curry," *Women's Initiative Newsletter* (May 2021)
- "Executive Order Increases Hourly Minimum Wage For Federal Contractors" (April 2021)
- "DOL Announces Final Rule Relaxing Independent Contractor Test," republished in *Westlaw* (January 2021)
- "The Future of Employment Law with a New Supreme Court Justice" (December 2020)
- "The Fight for the Noblest Democracy: Women's Suffrage in Alabama," *Women's Initiative Newsletter* (December 2020)
- "Faith: RBG – May Her Memory Be a Blessing," *Women's Initiative Newsletter* (October 2020)
- "A Conversation Between Our Editors: Pandemic Partners to Rely Upon," *Women's Initiative Newsletter* (September 2020)
- "Baker's Dozen: How Do You Take a Breath?," *Women's Initiative Newsletter* (September 2020)
- "Baker's Dozen: Gift Giving," *Women's Initiative Newsletter* (December 2019)
- Featured – "Women You Need to Know: Dena Sokolow Talks What Inspires Her to Help Others," *Tallahassee Democrat* (March 2018)
- "The Value of a Women's Initiative in the Workplace," *Tallahassee Woman Magazine*, (page 36) (June-July 2017)
- "Federal Judge Blocks Overtime Rule," *Chain Store Age* (November 2016)
- "7 Deadly Sins of FLSA Compliance," TSheets (October 2016)
- "The New Overtime Regulations - A Seismic Shift for the American Workforce," *The Federal Lawyer* (September 2016)
- "Extended Overtime Regulations," *Chain Store Age* (July 2016)
- Quoted – "New Overtime Rule Underwhelms and May Undermine Florida Businesses," *850 Magazine* (June-July 2016)

- "Controversial Overtime Rule About To Become Final," *Independent Retailer* (July 2016)
- "Ten Steps Employers Can Take NOW to Prepare For The Final Overtime Rule," *HBS Dealer* (May 2016)
- Featured – "OT Rule Poses Challenges," Human Resource Executive® Online (May 2016)
- "Ten Steps Employers Can Take NOW to Prepare For The Final Overtime Rule," *Retailing Today* (May 2016)
- "Ten Steps Employers Can Take NOW to Prepare For The Final Overtime Rule," *Chain Store Age* (May 2016)
- Co-author – "April Regulations Bring May Rules: Get Ready for New Overtime Requirements," *Construction Today* (April 2016)
- "The Controversial Overtime Rule is About to Come in For a Landing," *Inside Counsel* (March 2016)
- "Governmental Agencies Can Be Our Guides to Future Trends in Employment Law," *Aspatore Thought Leadership, Employment Law 2016*, Thompson Reuters (January 2016)
- Co-author – "How New Overtime Regulations Could Impact Banks," *Birmingham Business Journal* (November 2015)
- "Top 10 Employer Questions About Newly Proposed Overtime Regulations," *Executive Risk Network* (October 2015)
- "Top 10 Questions Employers Have About the Newly Proposed Overtime Regulations," *JD Supra Business Advisor* (July 2015)
- "Ah, Social Media: Blurring the Lines Between Work Life and Personal Life," *JD Supra Business Advisor* (May 2015)
- Co-author – "The Inside Scoop: Top 10 Employer Mistakes According to the Solicitor of Labor," *JD Supra Business Advisor* (May 2015)
- Quoted – "Pregnancy Discrimination: What ACSs Need to Know," *ACS Focus* , magazine (January 2015)
- Co-author – "Baby Bump in the Road: The EEOC's Recently Published Guidelines on Pregnancy Discrimination Create More Confusion than Clarity," *Complying With Employment Regulations*, 2014 Edition (2014)

Speaking Engagements

- "Legal Considerations for Employers and COVID-19," client training (January 2021)
- "Effective Workplace Management: Practices from Beginning to End," 2020 Florida Court Clerks and Comptrollers New Clerk Training (December 2020)
- "Employee Handbook 2020: Trends, Tools, and Legal Rules," 2020 Florida Court Clerks and Comptrollers Fall Conference (October 2020)
- "COVID-19: Returning Employees to Work and PPP Loan Forgiveness," client training (May 2020)
- "Administration and Application of the Paid Leave Provisions and Payroll Tax Deferral under the FFCRA and the CARES Act," client training and webinar (April 2020)
- "FCRA Training," client training (April 2020)
- "COVID-19 Updates Q&A," client training and webinar (March 2020)
- "It's No Longer a Game: What We Can Learn About Pay Equity from the U.S. Women's Soccer Team," Breakfast Briefing (August 2019)
- "Boundaries and Sexual Harassment in the Workplace," Florida State College of Law Women's Law Symposium (March 2018)
- "It's Game Time: The X's and O's of Compliance with the New FLSA Rules," PacWest Fall Conference, San Francisco (October 2016)
- "Wage and Hour Changes You Need to Know About," Baker Donelson conference "Sun, Sand & Success - Legal Compliance for Florida Business" (October 2016)
- "Dropping In On the New Overtime Regulations," Florida Assisted Living Facilities Association (FL-ALFA, now Florida Argentum) Annual Conference, Ft. Lauderdale, Florida (August 2016)

- "Ask the Expert: On Employment Law Topics," Tallahassee Chamber Conference, Amelia Island, Florida (August 2016)
- "Navigating FLSA Compliance to Minimize Risk," Webinar (August 2016)
- Panelist – "Final New DOL Overtime Rule: Strategies to Mitigate Impact of 100% Increase in White-Collar Exemption," Strafford Webinar (June 2016)
- "Legal Updates: FLSA Implications for Higher Education," National Association of Collegiate Directors of Athletics (NACDA) Annual Convention, Dallas (June 2016)
- "What You Need to Know & How to Prepare for Overtime Regulations," Greater Tallahassee Chamber of Commerce Workforce & Talent Roundtable, Tallahassee, Florida (June 2016)

Webinars

- Tight Around the (White) Collar Exemptions – Preparing for the New Overtime Rule (April 2024)
- Can We Agree to Disagree? Navigating Political Speech in an Election Year (April 2024)
- Helping Businesses Navigate the DOL's 2024 Independent Contractor Rule (February 2024)
- What the NLRB's New Joint Employer Regulations Mean for Your Business: A Panel Discussion (December 2023)
- Beyond the Basics: Sharpening Your FMLA Tool Kit (August 2023)
- A Deeper Dive on Your Most Pressing Wage & Hour Questions (July 2023)
- Lessons from a $22M Overtime Verdict: Top 10 FLSA Violations Employers Can Prevent (June 2023)
- OSHA 101 for Business Decisionmakers (May 2023)
- What You Should Expect if Your Employee is Expecting (April 2023)
- Through the Looking Glass Part II: Employment Law Under the Biden Administration (April 2021)
- Through The Looking Glass: Expected Employment Law Changes in 2021 (February 2021)
- Your Questions Answered Part 2: Understanding Employer Rights and Obligations Under the New DOL Regulations on Paid COVID-19 Leave (April 2020)
- Your Questions Answered: What Does the Families First Coronavirus Response Act Mean for Employers? (March 2020)
- 20-20 Vision: Forecasting Key Employment Trends and Developments for the Upcoming Year (February 2020)
- Fa La La La Lawsuit: Avoiding Employment Liability During the Holiday Season (November 2019)
- Hot Topics in Wage and Hour Law (June 2019)

Education

- Georgetown University Law Center, LL.M. (Labor and Employment), with Distinction, 1995
- Florida State University, College of Law, J.D., with Honors, 1994
- Tulane University, New Orleans, Louisiana, B.A., cum laude, 1990

Admissions

- Florida, 1994
- Georgia, 1994
- Alabama, 2006
- U.S. District Court Northern and Middle Districts of Alabama
- U.S. District Court Northern, Middle and Southern Districts of Florida
- U.S. District Court Northern District of Georgia
- U.S. Court of Appeals 11th Circuit