



Clare H. Draper

Senior Counsel

+1 404 881 7191 | clare.draper@alston.com

Atlanta | One Atlantic Center, 1201 West Peachtree Street, Suite 4900 | Atlanta, GA 30309

Related Services

Litigation ■ Labor & Employment ■ Privacy, Cyber & Data Strategy ■ Corporate & Business Transactions ■ Government Contracts

Clare Draper is a seasoned litigator and counselor with over 30 years of experience protecting clients' interests in labor and employment matters throughout the country. He has extensive experience defending wage and hour collective actions and DOL audits, as well as handling other complex litigation such as EEOC pattern and practice cases and private discrimination class actions. Clare is known for his practical approach to helping clients avoid litigation and solve problems through HR counseling, training, workforce reduction advice, compliance audits, negotiating and drafting employment agreements, restrictive covenants and separation agreements. In addition, he handles traditional labor matters, including union campaigns, negotiation of collective bargaining agreements, arbitrations and hearings. He is a nationally known expert in the field of government-mandated affirmative action plans and he is national affirmative action counsel for several companies, including the second-largest-private employer in the U.S. Clare is listed as a leading labor and employment lawyer in *The Best Lawyers in America*[®], *Chambers USA: America's Leading Lawyers for Business* and *Super Lawyers* magazine.

Representative Experience

- National affirmative counsel for the second largest employer in the United States.
- Lead counsel in the defense of an OFCCP audit in which the OFCCP's claim of \$9 million in alleged affected class damages was defeated and ultimately withdrawn.
- Lead counsel in the successful decertification of a class in an FLSA collective action.
- Lead counsel in successfully preventing the certification of a 20,000-person class in an FLSA collective action.
- Lead counsel in coordinating numerous successful reductions in force, including a 5,000 employee reduction that resulted in no litigation or administrative claims.
- Lead counsel in the successful defense and trial of a *Sarbanes-Oxley* whistleblower claim.
- Lead counsel in the enforcement of numerous noncompetition and other restrictive covenant agreements.
- Successfully defended a technology company in an employee raiding case.
- Implemented and conducted a comprehensive nationwide training program for hundreds of client's managers and human resources representatives covering harassment, EEO compliance, whistleblower issues and union avoidance.
- Conducted a whistleblower code of conduct investigation for a national financial services client.

- Conducted other numerous internal investigations, including the investigation of harassment and discrimination claims, reports of violations of codes of conduct and investigations of executive malfeasance.

Publications & Presentations

Publications

- “Q&A: Contractor Watchdog May Hit Refresh Button on Audits,” *Bloomberg Law Blog*, January 4, 2018.

Professional & Community Engagement

- *The Best Lawyers in America*
- *Chambers USA: America's Leading Lawyers for Business*
- *Georgia Super Lawyers*
- State Bar of Georgia 1985

Education

- Vanderbilt University (J.D., 1985)
- Yale University (B.A., 1982)

Admitted to Practice

- Georgia