



## Kevin D. Zwetsch

Shareholder Tampa

813-221-7248

kevin.zwetsch@ogletreedeakins.com

Ogletree  
Deakins

Mr. Zwetsch is a litigator, counselor, and business advisor. He combines a diverse background in employment law and human resource management to defend and counsel employers facing employment litigation, complex and changing employment laws, and countless workplace issues. He has tried and won jury trials, administrative hearings, and arbitrations; prosecuted and defended trade secret and no-compete cases; responded to local and national investigations by government agencies; and counseled employers on issues ranging from sexual harassment, workplace violence, staff reductions, discipline and discharge, policy changes, union election campaigns, employee theft and fraud, wage and hour laws, FMLA/ADA/USERRA issues, buying and selling businesses, and compliance with all major employment laws. Mr. Zwetsch also handles other litigation matters including third-party indemnification actions, Title III ADA lawsuits, and ERISA recovery and collection actions.

After studying industrial and labor relations in college Mr. Zwetsch held leadership roles in human resources in the oil exploration, chemical, food manufacturing, and banking industries. He left the corporate world to attend law school, a lifelong goal, and graduated at the top of his law school class. He was among the first group of lawyers certified by The Florida Bar as a specialist in labor and employment law in 2001. Before joining Ogletree Deakins he was a shareholder at a prestigious Florida law firm, where he practiced law for 17 years. He has been rated at the highest level by peers and lawyer rating organizations including *Best Lawyers in America*, *Chambers USA*, and Martindale-Hubbell (AV rated).

## Admitted to Practice

- Florida
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle, Northern and Southern Districts of Florida

## Education

- J.D., *with high honors*, University of Florida, 1992
- B.S., Cornell University, 1982

## Honors and Awards



- *Best Lawyers in America*
- AV Rated by Martindale Hubbell
- *Florida Legal Elite*
- *Chambers USA*
- *Florida Super Lawyers*
- Labor & Employment – Top Lawyer’s
- Tampa Bay’s Top Lawyers

## Practice and Industry Groups

- Class Action
- Disability Access
- Employment Law
- Ethics Compliance, Investigations and Whistleblower Response
- Hospitality
- Litigation
- Retail
- Traditional Labor Relations
- Wage and Hour

## Experience

Mr. Zwetsch has litigated all type of employment law disputes, including class and collective actions under federal and state wage and hour laws, whistleblower claims, False Claim Act including *qui tam*, single and multi-plaintiff employment discrimination claims, ERISA employee benefit claims, no-compete and employee contract claims, sexual, racial and disability harassment claims, FMLA and ADA claims, and retaliation claims. He has also defended employers before federal, state, and local agencies including the EEOC, NLRB, DOL, OSHA, and Florida DOAH. His experience spans many industry groups including hospitality, retail, manufacturing, construction, software, medical, insurance, banking, securities, transportation, pharmaceutical, defense, restaurants and entertainment. His clients include Fortune 500 companies, regional businesses, small businesses, entrepreneurs, and professionals.

## Professional Activities and Speeches

## **Professional Activities:**

- Florida Bar Association
- Hillsborough County Bar Association
- Orange County Bar Association

## **Speeches:**

- Southwest Florida Air Conditioning Contractors Association (SWACCA) - "HR 101 – Payroll and Overtime Pay" - Estero - May 2015
- Managing a Workforce in 2015 - "Wage and Hour Madness: Complying with the FLSA in the Modern World" - Tampa - September 2014
- Florida Association of Plumbing, Heating-Cooling Contractors, 2014 Convention - "Top 5 Employment Law Issues Facing Contractors" - Sarasota - July 2014
- Florida Irrigation Society, 2014 Florida Water Summit - "Top 5 Employment Law Issues Facing Contractors" - Kissimmee - July 2014
- Central Florida Chapter, Florida Institute of Certified Public Accounts - "Employment Law Update - Key 2013 Developments and Beyond" - Winter Park - February 2014
- Ogletree Deakins Managing a Workforce 2014 - "Unfair Competition: How to Improve Your Restrictive Covenants and Protect Your Confidential Information" - Tampa - October 2013
- International Paralegal Management Association, Annual Conference - "Outside the Brick & Mortar: How to Manage Work-Related Expectations" - Orlando - October 2013
- Independent Energy Human Resources Association's (IEHRA) Annual Conference - "Workplace Investigations" - Safety Harbor - October 2013
- Paralegal Association of Florida, Inc., Fall Seminar - "Social Media and Litigation" - St. Petersburg - October 2013
- Cement Employer's Association (CEA) Annual Conference - "Employment Law Update" - Portland - September 2013
- Ogletree Deakins Workplace Strategies Seminar - "I Want a Piece of Your Paycheck: Garnishment Compliance for the Multistate Employer" - New Orleans - May 2013
- Florida Refrigeration and Air Conditioner Contractors Association (FRACCA) Chapter Meeting - "Employment Law and Wage and Hour Update" - Ft. Myers - May 2013
- Florida Refrigeration and Air Conditioner Contractors Association (FRACCA) Annual Conference - "Affordable Care Act Update" - Orlando - March 2013
- Polk Works, 2013 State of the Workforce Summit - "Social Media Issues for Employers" - Lakeland - January 2013
- Ogletree Deakins Managing a Workforce in 2013 - "That Was So 27 Seconds Ago: An Advanced Social Media Update" - Tampa - October 2012
- Polk Works, Employer Roundtable - "Affordable Care Act Update" - Bartow - September 2012

- National Association of African Americans in Human Resources - "Background Screening in the Age of Social Media: Do's and Don'ts" - Tampa - August 2011

## Media

### Media Quotes

- Fall 2014 - Pipeline - The Official Publication of the Florida Irrigation Society - "Maximize Profits by Minimizing Travel Time Compensation"
- September 19, 2013 - Human Resource Executive - "Working Like Someone's Watching"
- June 04, 2008 - CNN Living - "Should Your Office be a 'No Politics' Zone?"
- February 11, 2008 - American Medical News - "Making Room for Faith: Handling Religious Expression at the Office"
- October 08, 2007 - New York Post - "Firing Lines"
- October 02, 2007 - The Wall Street Journal Online - "How Faith-Based Networking Can Aid Job Searches"
- April 15, 2007 - New York Times - "Danger Signals at Work and How to Handle Them"
- March 24, 2006 - Tampa Bay Business Journal - "War in Iraq Generates Employment Issues Back Home"
- March 09, 2005 - Orlando Sentinel - "Smoked Out"
- February 24, 2005 - Newsweek - "A Job or a Cigarette?"

### Published Works

- March 25, 2015 - "FLSA "Tips" and Traps" - ACC West Central Florida Weekly Update
- Fall 2014 - "Maximize Profits by Minimizing Travel Time Compensation" - Pipeline - The Official Publication of the Florida Irrigation Society