



Bryan Collins

Collins has been Board Certified in Labor & Employment Law by the Texas Board of Legal Specialization since 1997 and his practice for more than 35 years almost exclusively has involved Labor and Employment matters.

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Education

- J.D., University of Texas School of Law, 1984
- Texas Law Review
- B.A., Stanford University, 1981

Court Admissions

- State Bar of Texas, 1984
- United States Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- United States District Courts for the Northern, Eastern, Southern, and Western Districts of Texas

Board Certifications

- Labor & Employment Law
- Texas Board of Legal Specialization

Memberships

- U.S. Fifth Circuit Court of Appeals – Law Clerk to Hon. Robert M. Hill, 1984-85

Honors and Awards

- Board Certified: Labor & Employment Law by the Texas Board of Legal Specialization since 1997
- AV Rating Received from Martindale Hubbell
- Fellow, Dallas Bar Association
- Legal Services Foundation – Private Bar Involvement Award (Pro Bono Services)
- Recognized in The Best Lawyers in America© 2021 for work in Litigation – Labor and Employment

Adjunct Professor

- Adjunct Professor, Southern Methodist University, Legal Environment of Business; 1992

Litigation Results for Clients

Mr. Collins has successfully tried numerous matters to juries and arbitrators and briefed and argued successful motions and appeals to state and federal trial and appellate courts concerning significant employment matters including claims of sexual harassment, discrimination, retaliation, ERISA violations in terminating retirement benefits, FLSA overtime violations, commissions allegedly owed, negligence, gross negligence, and workers' compensation retaliation. He has also successfully represented clients being investigated by government agencies including the EEOC and the Department of Labor. Examples of his litigation results include the following:

Jury Trials

- Federal court take-nothing verdict and judgment in collective action FLSA overtime suit – Leal v. Magic Touch, 3:16- cv-00662-O (N.D. Tex. July 2018)
- Federal court FLSA overtime and negligent supervision suit awarding nominal damages and attorneys' feed – Campos v. Lone Star Wheel, 3:13-cv-4088-N (N.D. Tex. 2017)
- State court take-nothing verdict in suit by in-house counsel for breach of contract and wrongful discharge in violation of stay-put agreement – Kelley v. McCleod, U.S.A
- Federal court take-nothing verdict in workers' compensation retaliation suit seeking lost wages, mental anguish and punitive damages – Norman v. Carrier Corporation

Arbitrations

- Denial of misrepresentation claim relating to tenured rights in connection with acquisition – Hughes v. CB Richard Ellis (2011 Dallas)
- Denial of union grievance that assembly-line workers were not paid properly in violation of special compensation plan and the collective bargaining agreement – Sheet Metal Workers International Association v. Carrier Corporation (Tyler, Texas)
- Denial of claim for sales commissions – Harrow v. Rocket Software

Dispositive Motions and Appeals

- Briefed and argued successful federal court appeal that affirmed employer's practice of not paying overtime to commissioned employees – Leal v. Magic Touch (2021)
- Summary dismissal of ERISA claims in connection with termination of retirement benefits policy – Hawthorne v. Union Square Credit Union, 7:17-cv-00025-O (N.D. Tex. 2018)
- Summary judgement for breach of settlement agreement – Nelson Architectural Engineers, Inc. v. Deepak Ahuja (No. 429-0059-2014, 429th Judicial District Court, Collin County, Tex. 2015)
- Summary dismissal of suit under the Age Discrimination in Employment Act brought by senior-level executive – Sandstad v. CB Richard Ellis, Inc., 309 F.3d 893 (5th Cir. 2002)
- Briefed successful federal court appeal that confirmed the right of Texas employers to utilize neutral absence control policies – Parham v. Carrier Corporation, 9 F.3d 383 (5th Cir. 1993)

Government Investigations

- DOL/The Rustic (2016 negotiated payment of less than \$2,000 in back wages after DOL claimed over \$1 million was owed)
- Numerous no discrimination/no retaliation findings by the EEOC

The Texas Connection

Bryan Collins is a second generation Texan, born in Dallas. After graduating from St. Mark's School of Texas and Stanford University, he returned to Texas and graduated from the University of Texas School of Law in Austin, where he was a member of the Texas Law Review. Collins was associated with, and later a partner in, the Jackson Walker law firm in Dallas for more than twenty years before teaming up with Rogge Dunn in 2006.

Recognized Labor and Employment Expertise

Collins has assisted human resources personnel, owners, executives, and in-house attorneys of small to very large companies and provided counsel on all employment law issues including: termination decisions, workforce reductions, EEOC, DOL, OFCCP, and state agency investigations, internal investigations, sexual harassment claims, discrimination and retaliation claims, non-competition, non-solicitation and confidentiality agreements, performance improvement programs, compensation and benefit plans, mediation and arbitration agreements, and employee policies and procedures.

Collins has successfully represented clients in adversarial employment disputes in state and federal courts, before arbitrators and in governmental administrative proceedings.

He has developed and implemented risk reduction strategies for clients including management and employee training, performance improvement programs, dispute resolution procedures, and mediation and arbitration agreements and negotiated and drafted for his clients and enforced innumerable employment agreements (often incorporating change-in-control, stock option and deferred compensation provisions), non-competition and non-solicitation agreements, nondisclosure and confidentiality agreements, settlement agreements, and severance and release agreements.

Corporate Investigations

Fortune 500 companies have hired Mr. Collins to investigate sensitive corporate governance and other matters.

Representative Clients

Mr. Collins has represented I.B.M., CB Richard Ellis, Frito-Lay, Pizza Hut, Union Square Credit Union, Campbell Soup Company, DuraServ Corporation, Cawley Partners, Chubb, United Technologies Carrier, Courtroom Sciences, Inc., United Mechanical, Metapath Software, Magic Touch Up Inc., Excel Telecommunications, Rocket Software, McCleod, U.S.A., and Mothers Against Drunk Driving.

He has also represented bankers, brokers, physicians, investors, venture capitalists, shareholders, partners, executives, employees, agents and sales representatives, as well as founders of small to mid-cap companies.

His client representations span most industries including telecommunication, restaurant, securities, technology, automotive, manufacturing, healthcare and real estate.

Executives, employees and companies have hired Mr. Collins to represent them in employment matters and disputes including contract negotiations, non-compete disputes, negotiated severance agreements, internal investigations, whistleblower suits, FLSA collective actions and corporate governance matters.

Publications

Mr. Collins has been a contributing Editor and author of the Fair Labor Standards Act Chapter of the Texas Employment Law Handbook, published by the Texas Association of Business and utilized by hundreds of employers throughout Texas. He has also authored numerous articles discussing significant employment law issues including FLSA overtime regulations and good hiring practices.

