

## FINANCIAL & ENTERPRISE DATA ANALYTICS

# Labor and Employment Litigation Services

## Service Highlights

### We routinely assist clients with the following tasks:

- The evaluation of payroll and other personnel records related to unpaid wages, wage deductions, etc. (e.g., identify and quantify unpaid overtime hours and / minimum wage amounts)
- The evaluation of timekeeping records to assess meal periods, rest periods, etc. (e.g., quantify missed meal breaks and rest breaks)
- The recovery and validation of historical wage statements and the comparison of such statements to timekeeping records and applicable reporting standards
- The assessment of time allocation across various job duties
- The analysis of HR records to identify proposed class members
- The analysis of class homogeneity and various subclasses to rebut class certification
- The analysis of class population attributes versus those of named plaintiff's records to ascertain typicality
- The design and implementation of surveys targeted toward specific issues, and the extrapolation of the results across the proposed class (if such information does not exist in the data)
- The quantification of other categories of damages including statutory penalties, prejudgment interest, etc.
- Expert testimony on facts and / or expert witness support

**F**TI Consulting is the largest consulting firm with expertise in labor disputes and investigations. We have experts in all relevant areas, including labor economics, financial analysis, statistics, survey design and execution, information systems and e-discovery. We have deep experience in analyzing wage-and-hour issues (such as unpaid overtime, meal and rest break violations and waiting time penalties) as well as assisting with regulatory investigations into employee hiring practices and discriminatory working conditions. FTI Consulting experts regularly perform analyses and provide expert witness testimony across a broad spectrum of labor and employment claims.

### Class Identification & Early Case Assessment

FTI Consulting can provide clients and counsel with an understanding of the true scope of the problem early on in the matter, including identifying class members, determining the extent of the alleged violations, and calculating potential damages. By rapidly targeting and analyzing a company's HR and financial data, we create a holistic view rather than providing estimates based on sampling.

### Complex Analysis

Our approach centers on extensive data and statistical analyses of information from a variety of sources, including company, industry, government, and survey data. Our experts apply economic analysis and econometric techniques, which can be decisive tools both in assessing the merit of employment-related claims and in evaluating potential economic damages.

### Data Identification & Production

FTI Consulting helps navigate the technical labyrinth of HR, Payroll, and Timekeeping systems that were not designed to respond to these types of matters. For example, FTI Consulting is very familiar with the PeopleSoft HR, Kronos Timekeeping, and ProBusiness payroll. We have also been called upon to extract and product information from legacy systems that are no longer supported by anyone in the company.

### Class Damages & Settlement Assistance

FTI Consulting commonly assists counsel in determining the overall class size and financial exposure, which includes modeling "what if" scenarios to measure the impact of various legal positions. Moreover, FTI Consulting also provides expert consulting throughout the matter with respect to:

- Developing alternative damage scenarios
- Rebutting expert reports and / or opinions
- Quantifying prejudgment interest

### FTI Consulting also provides analytical support during settlement talks, including:

- Quantifying the various settlement alternatives
- Assessing the value of non-cash settlement options
- Estimating expected claim rates

CRITICAL THINKING  
AT THE CRITICAL TIME™

### About FTI Consulting

FTI Consulting, Inc. is a global business advisory firm dedicated to helping organizations protect and enhance enterprise value in an increasingly complex legal, regulatory and economic environment. FTI Consulting professionals, who are located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges in areas such as investigations, litigation, mergers and acquisitions, regulatory issues, reputation management and restructuring.