

BENJAMIN P. FRYER

Partner / Charlotte

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Ben Fryer has devoted his entire career to supporting his clients' needs in labor and employment law.

Ben's background includes significant experience assisting clients in the protection of trade secrets and the enforcement of non-compete agreements and other restrictive covenants. He has also advised clients in all other aspects of employment law including claims involving state and federal wage and hour regulations, and discrimination and retaliation under Title VII, the ADEA, the ADA, and ERISA. Ben has a solid understanding of labor relations, having advised clients on union organizing, collective bargaining, and unfair labor practice charges under the National Labor Relations Act. He has represented companies in a broad range of industries including education, healthcare, aviation, retail, financial services, and manufacturing.

Numerous clients have called upon Ben to represent them in wage and hour investigations and proceedings before the United States, Georgia, and North Carolina Departments of Labor, as well as in state and federal courts. Ben is also experienced in advising companies and fiduciaries in ERISA matters including guiding clients in disputes involving denial of benefits, breaches of fiduciary duty, overpayment of benefits, and issues involving multi-employer pension plans.

Prior to rejoining FordHarrison, Ben practiced at a large general services corporate law firm with offices in North and South Carolina. He began his legal career as an associate in FordHarrison's Atlanta office before moving to practice law in North Carolina.

Representative Experience

- » Part of trial team that obtained multi-million dollar verdict on trade secret misappropriation, unfair competition, and breach of restrictive covenant claims.
- » Defended nationwide FLSA collective actions in federal court concerning off-the-clock and misclassification issues, including "hybrid" actions involving state and local laws.
- » Obtained summary judgment for employer on age

EDUCATION

- » University of Virginia School of Law (J.D., 2004)
- » George Washington University (B.A., *cum laude*, 2001)

BAR ADMISSIONS

- » North Carolina
- » Georgia

COURT ADMISSIONS

- » U.S. Supreme Court
- » U.S. Court of Appeals for the Fourth Circuit
- » U.S. Court of Appeals for the Sixth Circuit
- » U.S. Court of Appeals for the Seventh Circuit
- » U.S. Court of Appeals for the Eleventh Circuit
- » U.S. District Court for the Northern District of Georgia
- » U.S. District Court for the Middle District of Georgia
- » U.S. District Court for the Western District of North Carolina
- » U.S. District Court for the Eastern District of North Carolina
- » U.S. District Court for the Middle District of North

discrimination claim and later prevailed on appeal before the Fourth Circuit Court of Appeals.

Carolina

- » Obtained verdict against international client's former CEO for fraud and breach of fiduciary duties.
- » Obtained dismissal of fraud and breach of contract claims before the North Carolina Business Court and later prevailed on appeal before the North Carolina Supreme Court.
- » Part of trial team that obtained multi-million dollar verdict for minority shareholder for breaches of fiduciary duty and contract.

Honors & Awards

- » *Best Lawyers in America* - Litigation - Labor and Employment
- » *Business North Carolina's* Legal Elite (2020)
- » *Benchmark Litigation*, Labor & Employment Star (2020)

Memberships

- » American Bar Association

News & Insights

- » SourceBook - Co-Editor, FordHarrison's Labor & Employment Law Sourcebook, Privacy and Data Security Issues In the Workplace
- » November 18, 2024 - "Expect More State-Level Scrutiny Of Noncompetes Ahead," Law360
- » August 16, 2024 - Charlotte-Based FordHarrison Attorney Listed in the 2025 Best Lawyers in America
- » August 17, 2023 - Charlotte-Based FordHarrison Attorney Listed in the 2024 Best Lawyers in America
- » November 12, 2021 - The CMS Rule Addressing COVID-19 Vaccination Requirements for Healthcare Workers

Events

- » March 31-April 1, 2022 - FH 2022 Airline Labor & Employment Law Symposium "Navigating the Turbulence of the Pandemic and Employees' Sky High Expectations" – Denver, CO
- » November 16, 2021 - Navigating the CMS Rule Addressing COVID-19 Vaccination Requirements for Healthcare Workers - Complimentary Webinar

- » July 22, 2021 - New Developments in Georgia and Other States' Non-Compete Laws - Complimentary Webinar
- » June 18, 2020 - Paycheck Protection Program (PPP) Update – Where We Are Now - Complimentary Webinar
- » June 15, 2020 - NACVA Webinar - The Paycheck Protection Program (PPP) Update from an Employment Law Perspective - Complimentary Webinar

Offices

- » *Charlotte:*
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