



Feature

Becoming an Employment Attorney

What does it take to become an employment attorney? **Employment attorneys** advocate for employees who feel certain legal rights have been denied. Employment attorneys can also advocate for employers who feel that employees have wrongly accused them of misconduct.

Should you be an employment attorney?

If you're interested in a career in law, do you think being an **employment attorney** might be for you? As an employment attorney, you become versed in all aspects of employment law, and then you advocate as an authority for those who have been wronged on either side of employment law, meaning employees and employers. In some cases, these cases may go to court, which means that you will also be defending these clients in trial.

Education and background

An **employment attorney** usually graduates from college and then attends law school after graduation. In some cases, special provisions for early admission to law school are made after a student has attended just two or three years of college. Those who enter law school must be accepted and must have done well on the Law School Aptitude Test before being admitted.

Once attorneys graduate from law school, they must pass the bar in the states they want to practice law in. Occasionally, states have arrangements with each other so that lawyers who pass the bar in one state can practice in another state without taking another bar exam.

Those who want to work in employment law often get their start as attorneys in law firms specializing in employment law. Very often, law schools help students find placement after graduation.

Facets of employment law

It wasn't too long ago that employees didn't actually have protection on the job. Basically, employers could treat their employees any way they wanted, including paying them very low wages and making them work very long hours. Working conditions, too, were very undesirable, often, and sometimes

dangerous. Most of the time, workers didn't get benefits like health insurance or Workers' Compensation, in the event they were hurt on the job. Children, too, were subject to this; until child labor laws were fully cemented and enforced in 1941, children had no guaranteed rights to go to school, get an education, or any of the things we think of children doing today. Instead, they were often put to work alongside adults in the same dismal working conditions.

When the Industrial Revolution went into full swing, more people left the agrarian life to live in cities and work in factories. Working conditions became worse, and it soon became clear that the government would need to intervene and protect workers' rights. Eventually, early laws were set in place, and they have changed throughout the years, right up until today's modern employment laws.

Basically, employment law protects employees from being mistreated by their employers. Employment laws seek to establish fair wages, limit the age of workers to over 18 or sometimes 16, in most cases, provide safe and clean working conditions, and limit the hours of work per week.

Employment law also protects other employee rights, such as the inability to discriminate based upon disability, religion, gender, race or veteran status. Simply because employment discrimination is illegal, however, is not an automatic guarantee that it won't happen. This is why employment attorneys are so necessary.

Employment law has expanded in recent years to include such facets as making sexual harassment on the job illegal. And in fact, employers can be held liable if someone under them, such as a supervisor, sexually harasses another employee; the employer must take action to demote or otherwise reprimand the person doing the harassment. An employer can still be held responsible, by the way, even if the company is not aware of the behavior. In some cases, however, this liability can be avoided if strong anti-sexual harassment programs are



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in place so that it's very clear the workplace in question is not encouraging or least ignoring such behavior.

Women's rights, too, have increasingly been recognized in the workplace by making it unlawful to refuse to hire someone because of marital status, motherhood, or plans to have children.

Continual changes

Employment law continues to shift as new areas come into play. For example, one area that is still in flux in regard to employment law is the issue of sexual orientation. It is still legal in some cases to refuse to hire someone because of sexual orientation. However, this may eventually become illegal to discriminate against someone because they are homosexual but otherwise qualified for the job. These and other areas will continue to change as employment law is refined, adapted and changed.

A note about employers

Even though the focus on employment law is mostly about employees' rights, it should be noted that employers, too, sometimes need the services of employment lawyers. It is true that in some cases, employers may be unfairly accused of breaking employment laws when indeed they have not. In this case, your job as an employment attorney is to be an advocate for that employer in defense of unfair charges.

Duties as an employment attorney

Your job as an [employment attorney](#) is to know all facets of employment law and to keep up with any changes. Then, you advocate for employees, employers or both. This may include settling cases out of court, or going to court to defend an

employer who has been unfairly accused of discrimination or of breaking employment laws; you may also, of course, prosecute employers who have shown evidence of breaking the law. Oftentimes, employment attorneys may specialize in one area or another. For example, you may be especially versed in racial discrimination laws, or in child labor laws.

Employment and salary outlook

On average, lawyers across all sectors of the law firm average about \$70,000 in salary per year. If you work for the federal government, you may make over \$100,000 a year, and if you start working with a large law firm, you may start at a lower salary of about \$35,000 year and earn an average of \$80,000 as you advance.

If you start your own practice, be advised that at first, it's like any other business and you're probably not going to make a lot of money. However, as your business grows, your earnings can, too.

Lawyers in general are expected to do well and to be in high demand through 2014. And as laws change, along with it will be the work of the legal profession — including that for employment attorneys.

Conclusion

Being an [employment attorney](#) can be a very rewarding career; as an employment attorney, you are defending people's rights for fair working conditions and protection against discrimination. You may also advocate for employers who are unfairly accused. As a career, it will remain in flux as employment laws continue to change, so it's certainly an exciting career that will never get old.

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