



## PRACTICES

Employment and Labor  
ERISA and Benefits Litigation  
Discrimination and Harassment  
Employment Litigation  
Trade Secrets and Non-Competes  
Wage and Hour  
Disabilities and Leaves

## INDUSTRIES

Pet Care  
Food, Beverage, and Consumer  
Products

## EDUCATION

The George Washington University Law  
School, J.D., 2009  
Graduated with Honors  
J. Reuben Clark Law Society, Vice-  
President of Professional Development  
Alternative Dispute Resolution Skills  
Board, Member

Brigham Young University, B.A., 2005

## BAR ADMISSIONS

Nevada  
Arizona  
Utah

# Tyson Horrocks

Partner

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**Tyson counsels employers on the full spectrum of issues and challenges they face to efficiently and effectively manage their workforce.**

Tyson leverages his litigation experience to counsel employers how to proactively avoid disputes on matters such as restrictive covenants, wrongful termination, sexual harassment and discrimination, and retaliation. He also provides pragmatic compliance counsel, including audits for Fair Labor Standards Act and other state and federal regulations. Tyson assists clients to prepare employment-related documents including employment and separation agreements, drug testing policies, and employee handbooks.

In business litigation matters, Tyson represents commercial clients in business torts, complex disputes, civil fraud, and business valuations.

Before joining Holland & Hart, Tyson was a shareholder at a Utah-based firm, where he chaired the Employment Practice Group.

## EXPERIENCE

### Employment Litigation

- Administrative proceedings (EEOC and state civil rights commissions)
- Breach of Contract
- ERISA
- Wrongful Discharge
- Discrimination and Retaliation
- Disability, Accommodations, and Leaves
- Wrongful Termination/Public Policy Discharge
- Wage and Hour

### HR Counseling, Compliance, and Risk Management

- Employment Policies, Handbooks, and Manuals
- Executive Compensation and Employment Contracts

- Hiring, Discipline, Performance Evaluations, and Terminations
- Severance Agreements
- Investigations
- Pay Practices and Independent Contractors
- Drug & Alcohol Testing
- Training for employees, supervisors, managers, executives, Board of Directors

### Commercial Litigation

- Business Torts
- Unfair Business Practices
- Civil Fraud
- Corporate Control and Valuation Issues

### PUBLICATIONS

"NLRB Changes the Game for Confidentiality Provisions in Severance Agreements," *Holland & Hart Client Alert*, 02/23/2023

"Obligations and Risks When Conducting Layoffs," *Nevada Lawyer Magazine*, July 2022

"The Disappearing Future of Non-Compete Agreements," *Employers' Lawyers Blog*, *ERE Recruiting Intelligence*, and *Holland & Hart News Update*, 11/10/2021

"New OSHA and CMS COVID-19 Vaccination & Testing Mandates," *Holland & Hart News Update*, 11/04/2021

"Vaccine Mandates Q&A," *Holland & Hart News Update*, 09/10/2021

"Should I Say Something? A Plan Administrator's Duty to Provide Individualized Benefits Communications," *The Brief: American Bar Association*, 05/24/2021

"Employment Agreements After Utah Supreme Court's Vander Veur Decision," *Utah Business*, 11/04/2020

"Time to Review Unlimited PTO Policies," *Holland & Hart News Update*, 05/11/2020

"CARES Act Update: How the \$2.2 Trillion Relief Impacts Businesses and Employers," *Holland & Hart News Update*, 03/27/2020

"FFCRA CLARIFICATION: Emergency FMLA/Sick Leave/Payroll Tax Credits," *Holland & Hart News Update*, 03/27/2020

"The Risks of Pre-employment Social Media Screening," *Society for Human Resource Management*, July 18, 2013

## **SPEAKING ENGAGEMENTS**

"2023 Employment Law Seminar," *Holland & Hart Utah Employment Law Event*, February 21, 2023

"Union Organization and Navigating Union Encounters," *Associated Builders and Contractors of Utah Lunch and Learn*, 05/25/2022

"I Should Have Said WHAT?: An Employer's Potential Liability for Failing to Tell Employees About 'Hidden' Employee Benefit Issues," *2021 Employment Law Conference, Colorado Bar Association*, 10/01/2021

"Workplace 2021: Legal Compliance and Best Practices Post-COVID," *National Association of Corporate Directors Webinar*, Co-presenter, 04/21/2021

"Returning to the Office Safely | COVID-19 and the Workplace: Where Are We Now and Where Are We Going?," *Holland & Hart Webinar*, 11/10/2020

"FFCRA and the CARES Act," *Associated Builders and Contractors of Nevada Webinar*, 04/17/2020

"FFCRA and the CARES Act," *Associated Builders and Contractors of Utah Webinar*, April 9, 2020

"COVID-19 Employment Law Update," *Holland & Hart Webinar*, 03/26/2020

"Workplace Violence/Emergencies," *Moderator, Holland & Hart's 2019 Utah Employment Law Seminar*, October 2019

"Utah and Federal Law Updates," *Holland & Hart's 2019 Utah Employment Law Seminar, Panelist*, 10/24/2019

"Wage and Hour Traps," *Panelist, Holland & Hart's 2019 Utah Employment Law Seminar*, October 2019

## **RECOGNITION**

- *Utah Business Magazine*, Utah Legal Elite, Labor & Employment, 2022
- Mountain States Super Lawyers® Rising Stars, 2013-2023

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- Athlos Academy of Utah, Board Member, 2016-2017
- Pound the Pavement for Parenthood, Board Member, 2013-2016
- Marine Corps Marathon, Finisher, 2008