

Whitney M. Ferrer

Shareholder

Co-Chair, Compliance Audit Services

Practice Group

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Focus Areas

Wage and Hour

Class Action

Discrimination and Harassment

Audit Services

Overview

Whitney M. Ferrer is an employment lawyer who focuses on advising employers regarding compliance with federal and state wage and hour laws, including issues relating to exemption classification and pay practices. Whitney is a founding member of Littler's Compliance Audit Services Practice Group and is a core member of Littler's Wage and Hour Practice Group. Whitney is a primary architect of Littler's unique web-based audit tool, Audit QB.

Whitney represents and counsels corporate clients in connection with all types of employment matters arising under federal and state laws, including:

- Title VII of the Civil Rights Act of 1964
- The Americans with Disabilities Act (ADA)
- The Age Discrimination in Employment Act (ADEA)
- The Family and Medical Leave Act (FMLA)
- The Fair Labor Standards Act (FLSA)

Whitney also represents employers in complex class and collective actions involving overtime and other wage-related claims. She routinely counsels and trains clients on the preventive measures they should take to avoid or reduce

employment- and wage-related claims, and she provides advice on the practical and legal implications of everyday employment decisions.

Professional and Community Affiliations

- Member, State Bar of Georgia
- Member, National Association of College and University Attorneys

Recognition

- Named, The Best Lawyers in America©, 2024-2025
- Recipient, BTI Client Service All-Star Award, 2022, 2024

Education

J.D., University of Wisconsin Law School, 1996

B.A., Washington University in St. Louis, 1993

Bar Admissions

Georgia

Wisconsin

Courts

U.S. District Court, Northern District of Georgia

Publications & Press

Eleventh Circuit Concludes that Property Damage Investigators Do Not Fall Under FLSA's Administrative Exemption

Littler ASAP

July 5, 2022

Littler Appoints New Practice and Industry Group Chairs

Littler Press Release

October 14, 2020

Littler Shareholder Whitney Ferrer Appointed Atlanta Office Managing Shareholder

Littler Press Release

July 9, 2019

DOL Releases a Proposed Rule to Clarify the Types of Compensation that Employers Must Include in the Overtime Calculation

Littler ASAP

March 28, 2019

DOL Extends PAID Program, Presenting Employers with "Third Option" to Release FLSA Claims

Littler ASAP

November 6, 2018

DOL Seeks Input Before Issuing New Proposed Rulemaking on the White Collar Exemptions

Littler ASAP

July 25, 2017

Ring in the New Year: Employment Issues to Monitor in 2017

HR Professionals Magazine

February 1, 2017

The Southern Employer

2009-2010, 2010-2011, 2011-2012 and 2012-2013

Littler Rings in New Year with New Shareholders: Leading Labor and Employment Firm Elevates 13 Associates

January 4, 2012

Account Manager Not Entitled to Overtime Under Administrative Exemption

Littler ASAP

June 1, 2011

The Administrative Exemption in the Financial Services Industry

Littler Report

September 13, 2010

Adopting the Avoidable Consequences Affirmative Defense: Applying the Lessons of Ellerth/Fragher to FLSA Claims

2008

Speaking Engagements

Late Night with Littler: A Healthcare Industry Roundtable

Littler Executive Employer Conference

May 4, 2022

Clearing the Way to Compliance: Hindsight Is So 2020

October 7, 2021

When Every Day is "Blursday" - Wage and Hour Compliance for a Remote Workforce

July 13, 2021

Challenges Created by Remote Work: Compliance and Best Practices

March 18, 2021

2020 Year in Review and What to Expect in 2021

Atlanta, GA

January 27, 2021

Healthcare Industry Group: A Roundtable Discussion

Atlanta, GA

April 18, 2019

Audits

Littler Executive Employer, Phoenix, AZ

May 4, 2018

Understanding the DOL's PAID Program: What it Means and How to Self-Audit for Compliance Success

Littler Executive Employer, Phoenix, AZ

May 3, 2018

Key Wage and Hour Topics

Georgia Movers Association, Atlanta, GA

November 17, 2016

Countdown to the New Overtime Regulations

Atlanta Talent Collective, Atlanta, GA

November 3, 2016

Countdown to the New Overtime Regulations

Southeastern Council of Foundations, Atlanta, GA

October 18, 2016

Working on Overtime: Preparing for DOL's Changes to the FLSA Overtime Regulations

Accounting Principals, Atlanta, GA

August 18, 2016

Finally – The New Fair Labor Standards Act Overtime Exemption Rules

Littler Breakfast Briefing, Atlanta, GA

May 25, 2016

DOL Issues Final Overtime Rule - May 23

May 23, 2016

DOL Issues Final Overtime Rule - May 20

May 20, 2016

DOL Issues Final Overtime Rule - May 19

May 19, 2016

2015 Southeast Employer Conference

Atlanta, GA

August 20, 2015

DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?

Atlanta, GA

July 22, 2015

DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?

Atlanta, GA

July 15, 2015

Proposed Changes to the Overtime Regulations

July 6, 2015

The Emerging New Workforce: Evaluating and Minimizing Risks Associated with Independent Contractors In Today's Enforcement Environment

GEM Meeting - Society for Human Resource Management, Atlanta Chapter

September 2013

Litigation Armoring – Building Advance Defenses to Common Wage & Hour Class Claims

Littler Mendelson, Atlanta, GA

August 15, 2013

Pay Audits and Compliance Issues: Emerging Issues & Trends that Employers Need to Know in Order to Pay Employees Correctly

Littler Mendelson, Cleveland, OH

October 2011

Conducting Internal Audits for FLSA Compliance

Employer's Duties and Problems CLE Seminar - Georgia State Bar Association
February 2011

Legal Challenges regarding Classification of Independent Contractors

Southeast Regional Employer Conference, Atlanta, GA
September 2010

Wage and Hour Compliance Initiatives

Southeast Regional Employer Conference, Atlanta, GA
September 2009

Labor and Employment Legislative Update

Northwest Arkansas Employer Conference, Fayetteville, AR
May 2009

How to Conduct Wage and Hour Audits Using Audit QB

Littler National Employer Conference, Phoenix, AZ
April 2009

Wage and Hour Fundamentals

Lorman Education Services, Norcross, GA
February 2009