



# Glianny Fagundo

Partner  
Lawyer Personnel Committee  
[Glianny.Fagundo@ThompsonHine.com](mailto:Glianny.Fagundo@ThompsonHine.com)

## Labor & Employment

### Overview

Glianny is a partner in the Labor & Employment practice group. She focuses her practice on partnering with clients to design and implement workplace policies and practices that are not just compliant with the law, but that further business goals and protect a company's culture. Her experience as a high-stakes employment and business litigator have given her a full appreciation of the value, and cost, of human capital. As a result, Glianny's employment law advice is carefully designed to maximize returns and decrease risks.

Glianny routinely counsels national employers on a multitude of workplace issues, including wage and hour, worker classification, religious and disability accommodations, joint employer/single enterprise, discipline, terminations, reductions in force, executive employment agreements and background checks. She also defends companies in significant cases including claims for restrictive covenants violations, discrimination, collective FLSA/wage, contractual breaches, fraud, consumer disputes, professional liability and products liability. Some of the industries in which Glianny has extensive experience include health care, restaurants and hospitality, retail, professional services, transportation and logistics, and media/entertainment. With her engaging personality and knack for public speaking, Glianny frequently provides training and addresses management and trade groups on policies and legal developments.

In addition to practicing law, Glianny is a business and community leader in the state of Georgia. She was one of the forces behind the incorporation of the City of Brookhaven and has worked with numerous nonprofits serving various industries. Glianny was a founder of the National Latina Business Women Association-Atlanta, has served as president and chairperson of the Georgia Hispanic Bar Association and has served on the boards of CredAbility Inc. and the Latin American Chamber of Commerce. She currently serves on the Latin American Association's Advocacy Committee and the State of Georgia's Personnel Board. Glianny also regularly speaks at community events and contributes to newspapers and television shows to counsel the Hispanic community about its legal rights and duties.

### Contact Information

Two Alliance Center  
3560 Lenox Road NE, Suite 1600  
Atlanta, Georgia 30326-4266  
Direct: 404.407.3677  
Fax: 404.541.2905

### Education

- University of Georgia School of Law, J.D., 2000
- University of Puerto Rico, B.A., *magna cum laude*, 1995

### Experience

- Successfully secured judgment for logistics company in race and gender discrimination case filed by former HR director by showing the court that the client had legitimate business reasons to terminate plaintiff, as demonstrated by well-documented performance shortcomings.
- Negotiated favorable settlement of individual and putative class action FLSA claims involving misclassification and overtime issues against landscaping company.
- Secured summary judgment for hospital in FLSA case challenging complex compensation scheme for nurses involving various shift differentials and bonus compensation.
- Represented numerous clients seeking enforcement of restrictive covenant agreements against former employees, in most cases obtaining early injunctive relief and/or settlement.
- Drafted numerous restrictive covenants agreements for clients that have withstood legal challenges and been enforced by the courts.
- Regularly defends employers against claims of discrimination (sex, age, race, national origin), sexual harassment, and retaliation and whistleblower claims.
- Regularly counsels clients on company policies and legal compliance developments, as well as disciplinary matters and reductions in force.

### Publications

- "'Surprising' CDC Guidance Lets Ill Workers Return Sooner," *HR Daily Advisor*, August 18, 2020
- "How to Head Off Legal Risk as the Economy Reopens," *NetSuite Brainyard*, May 27, 2020
- "Do Employees Have to Return to Work Amid the Covid-19 Pandemic? It Depends," *Atlanta Business Chronicle*, April 29, 2020
- "Atlanta Master Barber Gets Clipped by Noncompete," *Georgia Employment Law Letter*, BLR, February 11, 2019
- "The Value of EAPs in Tempestuous Times," *HR Daily Advisor*, January 18, 2019
- "All Male, All Nude, All Damages Awarded," *Georgia Employment Law Letter*, HR Hero, BLR, July 2018
- "Surviving the World Cup Fever in the Workplace," *HR Daily Advisor*, June 5, 2018
- "11th Circuit Stuns Police Department in Reversal of Taser Termination," *HR Daily Advisor*, February 9, 2018
- "After the Storm: Strategies for Tragedies that Touch the Workforce," *Georgia Employment Law Letter*, BLR, December 2017
- "Total Eclipse of Liability?" *Daily Report*, August 18, 2017
- "Workflows," *Bloomberg BNA*, January 4, 2017
- "Governor Deal Appoints Glianny Fagundo to State Personnel Board," *Marietta Daily Journal*, December 2, 2016
- "Is That Time-Off Request Because You're Sick—or to Watch the Olympics?" *Society for Human Resource Management*, August 11, 2016
- "Employee-Developed Apps: Employer Rights and Liabilities," *InsideCounsel*, July 19, 2016
- "Safeguarding IT and Communications Systems: Or, How to Stop Worrying and Love Being Big Bro," *InsideCounsel*, June 20, 2016
- "Don't Fear BYOD. Here's How to Cope," *InsideCounsel*, April 20, 2016
- "Legal and Practical Pitfalls of Loaning Money to Employees," *Georgia Employment Law Letter*, BLR, February 1, 2016

### Presentations

- "Pueden los Patrones Obligar a sus Empleados a Vacunarse contra el COVID?" *Latin American Chamber of Commerce*, March 2, 2021

- “Recovering From COVID-19: A Guide for Small Businesses,” National Business Institute (NBI), February 18, 2021
- “Reopening Your Office – What You Need to Know,” American Council of Engineering Companies of Georgia, May 21, 2020
- “Legal Issues Small Businesses Face as They Prepare to Reopen,” CNN en Español, May 11, 2020
- “Actualización de los Recursos Disponibles para su Negocio Durante la Crisis del COVID-19,” Latin American Chamber of Commerce, April 27, 2020
- “The New Employment Laws Related to COVID-19,” Georgia Hispanic Chamber of Commerce, March 30, 2020
- “Lifting the Veil: What Top Corporate Executives Really Expect from Outside Counsel,” Loudermilk Conference Center, Atlanta, March 27, 2020
- “Marijuana, Background Checks and Independent Contractors – What Do I Need to Know?” SHRM-Atlanta, February 13, 2020
- HR Comply 2019, BLR, November 15, 2019
- “An Inside Look: Learn from Leading In-House Lawyers,” Georgia Hispanic Bar Association, August 23, 2019
- Law Day, Georgia Latino Law Foundation, August 9, 2019
- “Practicing Negotiation and Influence,” Women’s Leadership Program, Hispanic Alliance for Career Enhancement, July 18, 2019
- “Construction Law for the General Practitioner,” State Bar of Georgia, April 11, 2019
- Employers Counsel Network Conference, The Ritz Carlton New Orleans, April 26, 2018
- Bizwomen Mentoring Monday, Atlanta Business Chronicle, Cobb Energy Performing Arts Centre, February 12, 2018
- Leadership & Philanthropy, Pathbuilders, Westin Atlanta Perimeter, February 1, 2018
- “Sexual Harassment in the Work Place,” Mundo Hispánico Webcast, November 17, 2017
- “Employment Law Compliance,” 2017 Hispanic Business Summit, Latin American Chamber of Commerce, November 15, 2017
- “Puerto Rico Whitefish Scandal,” Univision 34, November 4, 2017
- Women in Business North America 2017 Summit, Technology Association of Georgia, The Fox Theatre, October 3-4, 2017
- “Common Employment Law Issues in the Construction Industry,” Construction Business Management Series, Georgia Hispanic Contractors Association, August 31, 2017
- “Construction Law for the General Practitioner,” Institute of Continuing Legal Education: State Bar Series, August 17, 2017
- “Employer Compliance: What Every Business Owner Needs to Know,” LACC Georgia Latino Business Summit, Atlanta, October 27, 2016
- “Creatives: Understanding the Business and Legal Side of Your Film Shoot in Georgia,” Savannah Film Festival, October 2016
- “U.S. Department of Labor New Overtime Exemption Rules: How Do They Apply to Restaurant Staff? Recipes for Restaurant Success,” Atlanta, June 21, 2016
- “Technology Issues of Importance to Employers,” 2016 ACC Value Challenge, April 26, 2016
- “Employment Issues Faced Regularly by Construction Industry,” Construction Law for the General Practitioner, Institute of Continuing Legal Education, Atlanta, April 14, 2016
- “Advanced Skills for Employee Leave Management,” 2016 FMLA Master Class, Atlanta, January 14, 2016

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## Distinctions

- Selected for inclusion in *The Best Lawyers in America*® 2021, 2022 for Litigation - Labor and Employment
- Selected to the Georgia Rising Stars list, 2009-2011; the Georgia Super Lawyers list, 2017-2021; and the Top 50: 2021 Women Georgia Super Lawyers list
- Received the Latina Attorney of the Year Award from the Latin American Chamber of Commerce, 2020
- Recognized as one of Georgia’s 50 Most Influential Latinos by the Georgia Hispanic Chamber of Commerce, 2018, 2020
- Recognized in *Latino Leaders* magazine’s Top Latino Lawyers, 2019
- Included in *Georgia Trend*’s Legal Elite, Labor/Employment Law, 2016, 2018, 2019
- Received a Women Who Mean Business Award from *Atlanta Business Chronicle*, 2016
- Named one of *Atlanta Business Chronicle*’s Top Industry Leaders, 2008
- Recognized in *Atlanta Business Chronicle*’s 40 Under 40 “Up & Comers,” 2008

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## Professional and Civic

### Professional Associations

- Georgia Hispanic Bar Association, former President and Chair
- Latin American Chamber of Commerce, Board of Directors, 2014-2017

### Community Activities

- GALEO Impact Fund, Board Member, present
- State of Georgia Personnel Board, 2017-present
- Latin American Association, Advocacy Committee, 2016-present
- Brookhaven Alcohol Board, March 2013-December 2014
- CredAbility, Board of Directors, 2013
- National Latina Business Women Association-Atlanta, Founder and Past Director

### Professional Activities

- Leadership Georgia, Class of 2020
- Leadership Atlanta, Class of 2013

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## Admissions

- Georgia
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Georgia

- U.S. Court of Appeals for the Eleventh Circuit

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**Languages**

- English
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