Ashley Z. Hager

Partner

Atlanta

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Ashley's clients turn to her as a trusted advisor in all areas of employment law. She is particularly experienced in drafting agreements for executives, handling sensitive investigations, and advising on and litigating disability-related issues.

OVERVIEW

Ashley works with companies of all sizes – from public companies to startups – providing employment-related counseling, drafting the contracts they need to both retain their executives and protect their company's confidential information and customer relationships, and defending them in litigation.

With each client, Ashley helps members of management and human resources protect their company and minimize employment-related problems by providing general employment and human-resources consulting on issues such as compensation structures, leaves and discipline, disability and fitness-for-duty issues, outsourcing arrangements, employee and manager handbooks, federal contractor obligations, and employee privacy issues. Clients also call on Ashley when they are ready to audit their employment practices, need to investigate complaints of harassment, or just want to brainstorm solutions to knotty problems involving employees.

A significant portion of Ashley's practice involves the drafting and defense of agreements with executives and other employees. These agreements range from employment agreements with executives to noncompete, nondisclosure, and nonsolicitation agreements with other employees. Ashley also drafts expatriate, retention, and separation agreements for clients, as well as commission plans and severance plans.

With more than 20 years of litigation experience, Ashley is able to handle single-plaintiff and multiplaintiff harassment, discrimination and retaliation litigation for employers under Title VII, Section 1981, the Americans with Disabilities Act (ADA), and the Family and Medical Leave Act, as well as individual and collective actions under the Fair Labor Standards Act (FLSA). She also is ready to help clients respond to audits and investigations by the EEOC, the Department of Labor and the OFCCP. Where appropriate, Ashley partners with eMerge, the firm's eDiscovery provider, to ensure that electronic documents are collected, reviewed, analyzed, and produced in an efficient manner.

REPRESENTATIVE MATTERS

- Conducted an FLSA audit of hundreds of positions at a national retail company's headquarters, leveraging an in-house audit tool to manage the data, job descriptions, interviews, decisions, and approvals. Designed the

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process, oversaw interviews, calibrated results, and presented recommendations to executives.

- Obtained a favorable result at the summary judgment stage, upheld twice on appeal, in defending a disability discrimination case. Set new precedent in the Eleventh Circuit with respect to Section 12112(d)(3)(C) claims concerning the use of medical exams under the ADA.
- Revamped a *Fortune* 15 company's system for managing employee medical leaves and accommodations, which involved surveying HR partners to determine the scope of problems, brainstorming regarding potential solutions, surveying peer companies, presenting solutions to management, and training on a new process.
- Obtained summary judgment in a case involving fraud and breach of fiduciary duty claims brought by 23 former employees, and was awarded attorneys' fees in connection with race discrimination claims brought by three of those employees.
- Drafted a suite of employment-related agreements for an international company, including restrictive covenant agreements, executive employment agreements, retention agreements, and release agreements.

AWARDS

- *Best Lawyers in America*®: Employment Law – Management (2013-2027)
- *Chambers USA*: Labor & Employment, Georgia (2010-2026)
- *Multicultural Media, Telecom & Internet Council*: "Distinguished Pro Bono Service" Award (2019)
- *Law & Politics* and *Atlanta Magazine:* "Super Lawyer" in Labor and Employment Law (2009-2017)
- *Georgia Trend Magazine*: "Legal Elite" in Labor and Employment Law (2004, 2008, 2011-2013)

TOP AREAS OF FOCUS

- Class Action
- Employment Counseling
- Labor + Employment

ALL AREAS OF FOCUS

- Business Litigation
- Class Action
- Employment Counseling
- Energy
- Financial Services
- Government Claims + Investigations
- Independent Contractor Misclassification + Compliance
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Litigation + Trial
- Noncompete + Trade Secrets
- Wage + Hour Matters

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, State Bar of Georgia

- Member, American Bar Association
- Member, Associate Review Committee, Troutman Sanders

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Virginia School of Law, J.D., 1994
- Dartmouth College, B.A., *magna cum laude*, 1990

BAR ADMISSIONS

- Georgia

COURT ADMISSIONS

- Georgia Superior Courts
- Court of Appeals of Georgia
- Supreme Court of Georgia
- U.S. District Court, Northern District of Georgia
- U.S. District Court, Middle District of Georgia
- U.S. Court of Appeals, Eleventh Circuit

SPEAKING ENGAGEMENTS

- Speaker, "Planning Effective Layoffs While Minimizing Risk," ACC Greater Philadelphia 2026 Employment & Labor CLE Webinar with Troutman Pepper Locke, November 16, 2026.
- Speaker, "Navigating the IP Landscape: Intellectual Property Issues, Strategies, and Management for In-House Counsel," Troutman Pepper Webinar, October 25, 2023.
- "Liability Issues for Open Businesses During the Crisis," Troutman Sanders and Pepper Hamilton COVID-19 Litigation Podcast Series, April 16, 2020.
- "Bring Your Own Device Webinar," Troutman Sanders LLP, May 16, 2019.
- "The #MeToo Movement: Steps That Business Executives, Board Members and Legal and Compliance Counsel Need to Take to Protect Their Company," webinar, March 2018.
- "Sexual Harassment Claims in the #MeToo Era," 2018 legal update CLE presentation, Troutman Sanders LLP, Charlotte office, February 2018.
- "Social Media in the Workplace," ACE Roundtable Annual Best Practices Workshop, May 2015.
- "Developments in Expectations of Privacy," privacy seminar at Troutman Sanders LLP, May 2009.
- "Recent Changes to the FMLA Regulations," seminar at Troutman Sanders LLP, March 2009.
- "Reducing Your Workforce Without Increasing Your Liability," breakfast seminar at Troutman Sanders LLP, November 2008.
- "Who's That Looking in My MS Windows – Legal Issues Associated With Employee Monitoring," Corporate Counsel Institute Seminar, December 2007.
- "The EEOC's New 'E-RACE' Initiative," breakfast seminar at Troutman Sanders LLP, November 2007.
- "Employee Privacy," privacy seminar at Troutman Sanders LLP, May 2007.
- "Military Leave for Private Employers," Institute of Continuing Legal Education in Georgia, July 2003.
- "Crafting Employee Handbooks and Personnel Policies," The Cambridge Institute Annual Southern

Employment Law Conference, November 1998.

- "The Hiring Process: How to Avoid Common Legal Pitfalls," breakfast seminar at Troutman Sanders LLP, May 1998.
- "Conducting Effective Employment Investigations," breakfast seminar at Troutman Sanders LLP, September 1997.
- "Workplace Violence – The 'Catch 22's' Associated With Confronting Violence in the Workplace and Tips on Avoiding Liability," breakfast seminar at Troutman Sanders LLP, February 1996.

PUBLICATIONS

- Co-author, "Major Change to Federal Contractors' Affirmative Action Requirements," *Troutman Pepper Locke*, January 23, 2025.
- Co-author, "Artificial Intelligence — From Risk to Reward: Key Questions to Address When Crafting Generative AI Usage Policies," *Troutman Pepper*, August 21, 2023.
- Co-author, "Issues Employers Should Consider Before Offering Abortion Assistance Benefits Post *Roe v. Wade* ," *Troutman Pepper*, June 24, 2022.
- Author, "Managing Sexual Harassment Risks: Top 10 Mistakes Employers Are Making in the #MeToo Era," Virginia Association of Community Banks E-Newsletter, March 2018.
- Author, "Employer Administration of Severance Pay Plans: Avoiding Misrepresentation Liability on Plan Modifications," *ERISA and Benefits Law Journal*, Volume 4, Issue 1, 1996.
- Author, "Defamation by Conduct: Workplace Expulsion of the Terminated Employee," *Georgia Bar Journal*, December 1995.