Cesar Escalante

Associate

Houston

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OVERVIEW

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Cesar has significant experience representing employers in federal and state courts on issues such as discrimination, retaliation, harassment, covenants not to compete, misappropriation of trade secrets, wage and hour violations, and breach of employment agreements and contracts.

Cesar assists employers in drafting company policies, procedures, and agreements covering several subject areas, including employment contracts, and separation agreements. His comprehensive experience in the area of restrictive covenants includes advising and drafting non-disclosure, non-competition, and non-solicitation agreements, as well as employee handbooks.

Cesar serves as one of the firm's pro bono ambassadors for the Houston office.

REPRESENTATIVE MATTERS

- Obtained a trial ruling as a second chair on a wage and hour case where the jury found the fluctuating workweek method applied, and the plaintiff failed to show that the employer willfully violated the FLSA.
- Obtained summary judgment in a complex real estate dispute involving claims of breach of contract, money had and received, common law fraud, fraud by non-disclosure, and breach of fiduciary duty.
- Prepared and presented harassment prevention trainings in English and Spanish on equal employment opportunity compliance, sexual harassment, discrimination, and retaliation.
- Drafted policies for employee handbooks covering subjects including benefits, compensation, discrimination, hiring, leaves of absence, payroll requirements, vacation and paid time off, personnel files, employee privacy, and workplace rules and employee conduct.
- Drafted responsive pleadings, motions, and written discovery in federal and state court for an array of clients in lawsuits for claims involving discrimination, harassment, retaliation, fair housing, theft of trade secrets, and breach of contract.

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- Advised and counseled employers on reduction-in-force planning and implementation.
- Obtained a dismissal of an unemployment benefits appeal filed with the Texas Workforce Commission on behalf of a luxury fashion label.
- Negotiated a settlement in favor of a national property management company in a Fair Housing Act discrimination lawsuit.
- Negotiated a significant reduction to OSHA penalties and the elimination of citation items related to OSHA investigations for a sheet metal fabricator and critical minerals recycling company.

AWARDS

- *Best Lawyers in America*® Ones to Watch, Labor and Employment Law – Management, Litigation – Labor and Employment (2024-2027)

TOP AREAS OF FOCUS

- Labor + Employment

ALL AREAS OF FOCUS

- Employment Counseling
- Fair Housing Compliance + Defense
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Noncompete + Trade Secrets
- OSHA + Workplace Safety
- Wage + Hour Matters

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, State Bar of Texas, Labor and Employment Section
- Moot court coach, South Texas College of Law – Houston (February 2024-present)

EDUCATION AND CERTIFICATIONS

EDUCATION

- South Texas College of Law Houston, J.D., 2018
- Texas A&M University, B.A., 2015, telecommunication media studies

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

- U.S. District Court, Southern District of Texas

- U.S. District Court, Western District of Texas
- U.S. District Court, Eastern District of Texas

LANGUAGES

- Spanish

SPEAKING ENGAGEMENTS

- Speaker, “Employee Handbook Tips and Trends,” Locke Lord, February 15, 2023.

PUBLICATIONS

- Co-author, “Florida’s CHOICE Act Expected to Expand Employer-Friendly Non-Compete Laws on July 1,” *Troutman Pepper Locke*, June 18, 2025.
- Author, “Workplace Investigations – One Size Does Not Fit All,” *Troutman Pepper Locke*, April 3, 2025.
- Author, “But-For, or Not But-For: That Is the Question for FMLA Retaliation Claims,” Locke Lord, June 2024.
- Author, “Employers Beware: Impending SCOTUS Ruling Could Impact Title VII Discrimination Standard,” Locke Lord, February 2024.
- Author, “CROWNing Moment: Implications for Employers as CROWN Act Expands,” Locke Lord, May 2023.
- Author, “WARN-ing Ahead: Key Considerations and Reminders for Employee Separations in 2023,” Locke Lord, February 2023.