



## Erin Pelleteri Howser

Shareholder

New Orleans | 504.566.5287 | [epelleteri@bakerdonelson.com](mailto:epelleteri@bakerdonelson.com)

Erin Pelleteri Howser concentrates her practice in the representation of employers on all aspects of employment issues, with an emphasis on wage and hour concerns.

Ms. Howser has a broad employment law and litigation practice, with a particular focus on wage and hour and trade-secret/non-compete issues. Her practice also involves training and counseling employers on how to minimize risk. Ms. Howser also represents clients in state and federal courts, as well as before the U.S. Department of Labor and the Equal Employment Opportunity Commission (EEOC).

Ms. Howser regularly defends complex wage and hour matters, including collective actions, involving claims for minimum wage, overtime, misclassification, and joint employment under the Fair Labor Standards Act (FLSA), as well as state law wage claims in the construction, hospitality, telecommunications, and health care industries.

Ms. Howser's employment law experience also includes defending employers against claims brought under state discrimination statutes, Title VII, the Age Discrimination in Employment Act, and the Americans with Disabilities Act before the EEOC, in mediation, and in state and federal courts. She also counsels clients on workplace investigations, termination and discipline decisions, severance negotiations, handbooks and policies, and routinely conducts in-person trainings on topics such as sexual harassment, discrimination, and diversity and inclusion.

In addition, Ms. Howser represents clients in a variety of commercial litigation matters with an emphasis on issues related to securities fraud, fiduciary breaches, and the Louisiana Unfair Trade Practices and Consumer Protection Law.

### Representative Matters

- Represented an international company in primary and copycat matters involving nationwide FLSA and state law class action claims, resulting in the client incurring no out-of-pocket settlement contribution or attorneys' fees.
- Represented a satellite television provider against claims brought by 25 plaintiffs, alleging misclassification and a joint employer theory of liability. Obtained summary judgment on the plaintiffs' claims.
- Represented a general contractor in an action brought by multiple subcontractors alleging violations of the Louisiana Racketeering Act (Louisiana RICO). Obtained dismissal of claims with prejudice.
- Represented a contractor in a nationwide collective action involving claims related to the classification of exempt or non-exempt overtime status, resulting in the plaintiffs voluntarily decertifying the collective action.
- Represented a contractor in a collective action involving claims of misclassification seeking to certify workers on all projects in multiple states. Successfully had the certification limited to the single project.
- Represented a satellite television provider in a nationwide collective action involving claims of minimum wage and overtime pay violations under the FLSA, resulting in the plaintiffs voluntarily decertifying the collective action.

- Represented a health care company in arbitration and litigation alleging claims related to breach of contract, breach of fiduciary duty, and unpaid compensation under state law.
- Represented an individual defendant in a suit alleging securities fraud and seeking more than \$2.9 million in damages. Obtained a dismissal with prejudice.
- Extensive representation of national insurance companies in mass and individual first-party property claims following Hurricanes Katrina, Rita and Gustav.
- Successfully settled two nationwide collective and class action lawsuits on behalf of an online food delivery company. The company was sued by delivery drivers alleging violations of the Fair Labor Standards Act, as well as state wage and hour laws, and seeking recovery of unpaid wages for thousands of potential plaintiffs.
- Obtained judgment in favor of an online food delivery company in an arbitration in which a former employee alleged violations of the Fair Labor Standards Act and state laws in connection with his termination.



## Professional Honors & Activities

- Executive Committee – Louisiana State Bar Association Section of Labor and Employment (Chair, 2016 – 2017)
- Listed in *The Best Lawyers in America*® for Litigation - Labor and Employment and Employment Law - Management (2021 – 2025); Commercial Litigation (2022 – 2025)
- Selected to Louisiana Super Lawyers in Business Litigation (2025)
- Listed as a Louisiana Rising Star in Business Litigation (2015 – 2021)
- Listed in *Chambers USA* as a leading Labor & Employment lawyer in Louisiana (2021 – 2024)
- Named to 2018 Class *CityBusiness* "Women of the Year"
- Named to the 2016 "Leadership in Law" class by *CityBusiness*
- Named to *New Orleans Magazine's* "Top Women in Law" list in Labor and Employment Law (2025)
- Recognized as a "Top Lawyer" by *New Orleans Magazine* in Labor and Employment Law (2013, 2023 – 2025)
- Member – New Orleans Bar Association
- Member – Louisiana Bar Association
- Member – Federal Bar Association
- Recipient – Animal Legal Defense Fund's 2011 Advancement in Animal Law Pro Bono Achievement Award



## Publications

- "Employers Should Consider Alternative Protections to Address Lack of Clarity Around Non-Compete Rule" (July 2024)
- "All Eyes on Pennsylvania Federal Court After Texas Court Issues Limited Injunction Against FTC Non-Compete Ban," republished in *Texas Lawyer* (July 2024)
- "What Employers Should Know About the EEOC's Proposed PWFA Regulations" (August 2023)
- Co-author – "Notice Issues in Collective Actions Involving Joint Employer Claims," *The Labouring Oar*, a publication of the Labor and Employment Section of the Federal Bar Association (Spring 2013)



## Speaking Engagements

- "The Great Workplace Transformation: New Thoughts on Policies, Pay, and Prevention" (November 2022)
- "Virtual Depositions," Jefferson Bar Association COVID and the Law CLE (November 2021)
- Moderator – "Game On: Keeping ESI From Taking Over Your Case," New Orleans Bar Association Bench Bar Conference, Point Clear, Alabama (April 2018)

- Presenter – "Employment Law Considerations in the Gig Economy," Current Developments in Labor and Employment Law CLE hosted by Louisiana State University and the Louisiana State Bar Association (March 2018)
- Co-presenter – "The EEOC's New Guidance on Retaliation," The Inside Scoop: Understanding and Reducing Legal Risks in the Workplace (New Orleans) (November 2017)
- Co-presenter – "Employment Issues Facing Emerging Companies," 2017 Louisiana Life Sciences and Technology Symposium (September 2017)
- Co-presenter – "Shades of Gray in the FLSA," Current Developments in Labor and Employment Law CLE hosted by Louisiana State University and the Louisiana State Bar Association (March 2014)
- Co-presenter – "Thinking Outside the Box: Creative Ways to Solve Your Client's Pro Bono Problems" (February 2011)



## Webinars

- What Happened to September 4? Non-Competes and Antitrust Enforcement in Labor Markets: Ways to Minimize Risk and Defend Your Company's Competitive Edge (August 2024)
- What You Should Expect if Your Employee is Expecting (April 2023)



## Education

- Loyola University School of Law, J.D., 2006
  - Member – *Loyola Law Review*
  - Moot Court Board
  - Order of the Barristers
  - William Crowe Scholar
- Millsaps College, B.A., 2003, cum laude



## Admissions

- Louisiana, 2006