

HALL BOOTH SMITH, P.C.



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Partner

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Biography

Allison Averbuch is a Partner in our Atlanta office, and she focuses her practice on employment law counseling, internal investigations, and litigation. She also defends clients in education, government liability, and general liability claims.

Allison works with companies of all sizes in financial services, health care, manufacturing, logistics, food service, hospitality, and other industries and helps them navigate the complexities of a wide variety of labor and employment matters.

More +

Allison advises clients on issues at all stages of employment from hiring to termination, including contractual and transactional issues involving breach of contract, non-competition and non-solicitation agreements, trade secrets and protection of confidential information, and negotiation of severance agreements.

She also counsels clients on day-to-day issues such as employee discipline, terminations, severance, FMLA and other leave laws, disability accommodations, and provides employers with strategic

Services

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business advice on critical human resources issues that arise out of the employment relationship, with an emphasis on preventing future disputes and minimizing risk. She routinely conducts workplace investigations on sexual harassment, discrimination, bullying and other alleged offenses, and advises businesses in the critical areas of wage and hour compliance and drafting and enforcing restrictive covenants.

Allison has a robust and detailed in-house training program for clients, which covers best practices and strategies for avoiding employment litigation. She develops employee handbooks, policies, and procedures to ensure compliance with state and federal law and is often called to conduct workplace investigations or reviews of actions taken to assess risk and exposure.

Allison litigates employment cases at all stages, from pre-suit reviews and investigations to the EEOC process, through dispositive motions and trial. She has a successful track record for getting employment discrimination suits dismissed through an effective motions practice, and she has experience defending employers in both single-plaintiff and class-action discrimination and wage-and-hour cases.

Allison earned a Juris Doctor, *summa cum laude*, from the Georgia State University, where she was inducted into the Order of the Coif, served as the Symposium Editor for the *Georgia State Law Review*, and was a pupil in the Bleckley Inn of Court. She completed a Bachelor of Arts in English, *cum laude*, from the College of William and Mary.

Experience

Allison counsels clients of all sizes on a wide range of labor and employment matters from hiring to termination, and her strategic approach helps companies minimize risk while efficiently resolving disputes and claims that arise. She specializes in contractual matters such as employment and non-compete agreements as well as restrictive covenants and wage and hour compliance.

She also conducts internal investigations and represents clients through the EEOC process, motions, and trial. Her detailed and

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practical training program and creation of employee handbooks and policies help clients avoid issues and ensure compliance with state and federal laws.

COVID-19 is continuing to present novel issues for employers from religious accommodation requests to leave issues under evolving federal and state law. Allison collaborates with clients on solutions to emerging issues as they come in the door.

Labor & Employment

Allison's experience includes defending employers in individual discrimination employment disputes and both multi-plaintiff and class action litigation involving wage and hour (Fair Labor Standards Act) issues. She has also defended cases before the Equal Employment Opportunity Commission.

In addition to her litigation work, she has experience involving non-competition agreements, misappropriation of trade secrets and breach of contract claims. Allison has experience conducting internal investigations of employment issues, including investigations at the executive level.

Credentials

Admitted

State Courts:

- Georgia
 - Court of Appeals, Supreme Court

U.S. District Courts:

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

U.S. Courts of Appeals:

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

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Education

- J.D., *summa cum laude*, Georgia State University
- B.A., *cum laude*, College of William and Mary

Memberships

- American Bar Association

Recognition

- [Best Lawyers: Ones to Watch® in America](#), Best Lawyers®, 2021-2024
 - Labor and Employment Law - Management
 - Litigation - Labor and Employment
- Scholarship and Leadership Award, Georgia State University College of Law
- Outstanding Law Student Award, Georgia Association for Women Lawyers
- Outer Barrister's Guild Award
- David J. Maleski Prize for Excellence in Torts, Georgia State University

Presentations

- **Employment Law Trends to Watch**
ESIS Leadership Forum; October 1, 2019
- **Cyber Security Awareness and Your Employees**
HBS Women's Forum, July 2019

Publications

- [**The Uncertain Future of Non-Competes After President Biden's July 2021 Executive Order**](#)
HBS Employment Updates Blog; October 28, 2021
- [**Are Employer-Mandated Vaccinations Coming to an Office Near You?**](#)
HBS Employment Updates Blog; October 6, 2021

In the Press

[**Fifteen HBS Attorneys Appointed to Partner**](#)

January 5, 2024

HBS introduces fifteen attorneys as newly appointed partners in recognition of their exceptional client service and outstanding leadership

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[**34 Hall Booth Smith Lawyers Named to 2024 Best**](#)

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Lawyers: Ones to Watch® in America

August 22, 2023

Hall Booth Smith is pleased to announce that 34 lawyers have been included in the 2024 edition of Best Lawyers: Ones to Watch® in America. The award recognizes associates and other lawyers who are earlier in their careers for their outstanding professional excellence in private practice in the United States. "The unparalleled methodology of Best

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Hall Booth Smith Attorneys Recognized as 2023 Best Lawyers: Ones to Watch

August 18, 2022

Thirty-one lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This

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recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best Lawyers®' highly selective

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The Uncertain Future of Non- Competes After President Biden's July 2021 Executive Order

October 28, 2021

Written by: Allison Averbuch, Esq. and Baylee Culverhouse, Esq. In July 2021, President Biden issued a comprehensive Executive Order to tackle “the most pressing competition problems” facing the country’s economy. The Order includes 72 initiatives aimed at promoting competition—one of which encourages the Chair of the

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Federal Trade Commission
(FTC) “to exercise the FTC’s
statutory

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Are Employer-Mandated Vaccinations Coming to an Office Near You?

October 6, 2021

Written by: Allison Averbuch,
Esq. In a speech on
September 9, 2021, President
Biden announced that his
administration asked the
Department of Labor to
develop emergency rules
requiring all employers with
100 or more employees to
ensure their workforces are
fully vaccinated against
COVID-19 or show a negative
test at least once a week.
Some

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Hall Booth Smith Attorneys

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Recognized as 2022 Best Lawyers: Ones to Watch

August 20, 2021

Thirty lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best Lawyers'® highly selective

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Healthcare Risk Management: Allison Averbuch on Employer Considerations Behind Mandating

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COVID-19 Vaccines

July 28, 2021

In an article published by Healthcare Risk Management on July 27, 2021, Associate Allison Averbuch is quoted discussing considerations for employers deciding whether to mandate the COVID-19 vaccine for employees. While recent Equal Employment Opportunity Commission (EEOC) guidance offers firm legal ground for employers to require employees to be vaccinated, several additional factors must be

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Hall Booth Smith Attorneys Recognized in the Inaugural Best Lawyers: Ones to Watch Edition

August 21, 2020

Twenty lawyers from Hall Booth Smith, P.C. (HBS) have

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been honored in the inaugural edition of the Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based

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HBS Alert- **New Overtime** **Rules: What** **You Need To** **Know**

March 28, 2019

Written by: Allison Averbuch, Esq. On March 7, 2019, the Department of Labor issued a proposed rule change that would raise the salary test for exemption from overtime pay from \$23,660 per year (\$455 per week) to \$35,308 per year (\$679 per week). What does the proposed rule change mean for my business? If the

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NLRB Returns to Employer- Friendly Approach in its Independent Contractor Analysis

February 25, 2019

Written by: Allison Averbuch, Esq. In January, the National Labor Relations Board (NLRB), in SuperShuttle DFW, Inc., walked back Obama-era collective-bargaining decisions. Overruling NLRB precedent established during the Obama administration, the SuperShuttle decision marks a return to the common-law agency test for determining whether workers are independent contractors or employees. If workers are considered independent

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Hall Booth Smith Adds New

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Associates in Atlanta, Memphis and Nashville

December 12, 2017

ATLANTA & MEMPHIS & NASHVILLE — Hall Booth Smith, P.C. has added four new associates to its offices in Atlanta, Memphis and Nashville, Tennessee, as the firm continues to grow its litigation practice across the Southeast. Austin Atkinson is an associate in the Atlanta office, specializing in aging services. Mr. Atkinson is a former clerk for

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