



Erin Barker
ASSOCIATE

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Erin Barker advises clients on various employment and ERISA & benefits related matters. In addition to her employment and benefits practices, she also works with businesses, non-profits and individuals on an array of transactional matters.

ERISA & EMPLOYEE BENEFITS

Erin provides counsel and works with employers to draft, implement, and maintain qualified retirement plans and various welfare plans, including health, incentive bonus, severance, and cafeteria plans, and compliance with ERISA, the Affordable Care Act, COBRA, HIPAA, Section 409A of the Internal Revenue Code, and other federal and state laws. She also conducts due diligence and advises on the treatment of such plans in the context of mergers, acquisitions and corporate reorganizations.

LABOR & EMPLOYMENT

Erin counsels employers of all sizes on an assortment of employment law matters, including hiring and termination procedures, compensation and benefits, wage and hour issues, and federal and state employment regulations.

TRANSACTIONAL LAW

Erin works with businesses and individuals on a variety of corporate and transactional matters. She has experience assisting buyers and sellers with purchase agreements, related closing documents and loan transactions. Erin also counsels clients on real estate transactions, including financing, commercial lease reviews and drafting of closing documents.

NON-PROFIT ORGANIZATIONS

Erin helps with the formation and operation of tax-exempt organizations, including charities, religious organizations, educational organizations, and social welfare organizations.

EXPERIENCE

ERISA & Employee Benefits

- Drafting employee benefit plans, including short term incentive programs.
- Assisting a national corporation with the design, drafting, and implementation of a voluntary window severance program.
- Conducting fiduciary trainings for qualified retirement and welfare plan trustees.

Labor & Employment

- Drafting and advising employers in implementing employee handbooks, policies, and practices.
- Advising employers on navigating workplace changes and regulations during the COVID-19 pandemic.
- Responding to EEOC charges filed by employees and former employees.
- Advising employers on responding to U.S. Department of Labor and state-level employee classification and wage and hour investigations.
- Advising employers on compliance with federal employment laws, including Title VII, ADA, FLSA, Equal Pay Act, and ADEA, as well as state employment laws, including the North Carolina Wage and Hour Act and youth employment laws.
- Assisting employers with worker classification.
- Helping employers navigate workforce reductions and voluntary separation programs, including conducting discrimination analyses, drafting OWBPA notices, and drafting separation agreements and general releases.

Transactional

- Representing business entities of all types and sizes in general business matters, such as entity formation and organization, corporate governance, and contract drafting and negotiation.

Non-Profit Organizations

- Assisting non-profit organizations with formation, including drafting organizational documents, and attainment of 501(c)(3) tax-exempt status.
- Drafting and advising non-profit organizations on various operational matters and policies, including implementing workforce reductions, navigating employee discipline, and implementing volunteer policies.

SERVICES

Corporate & Business

Employee Benefits

Entity Formation

Labor & Employment

Not-for-Profits

Tax

CREDENTIALS

Education

Campbell University School of Law, J.D., 2021, *summa cum laude*; Executive Editor, *Campbell Law Review* Vol. 43

North Carolina State University, B.A., 2015, *summa cum laude*

Admissions

North Carolina

U.S. District Court for the Western, Middle, and Eastern Districts of North Carolina

PROFESSIONAL & CIVIC

Member, Law Student Outreach Committee, NCBA Young Lawyers Division (2022-present)

Member, NCBA Student Division (2015–2018)

Member, ABA Law Student Division (2015–2018)

ABOUT ME

As a former high school teacher in downtown Raleigh, I quickly learned to adapt to new situations while keeping focused on my goals. I worked with efficiency, creativity, collaboration, and a service-oriented mindset, and I have transferred these skills to my legal practice to build successful outcomes for clients.

NEWSROOM

News

Erin Barker and Natalie Sanders Pen “Non-Compete” Rule Update for *North Carolina Lawyers Weekly*

03.21.2023

Brooks Pierce Attorneys Present Webinar on Navigating Legal Issues During Workforce Reductions

03.13.2023

Beth Langley & Erin Barker Lead Webinar on Changes in Employee Classification

12.07.2022

Brooks Pierce Welcomes Four New Associates

09.28.2021

Speaking Engagements

Brooks Pierce Participates in NCBA YLD Law Student Outreach Committee Transactional Law Panel

04.04.2022

Brooks Pierce Attorneys Present Webinar on Pay Equity Laws

03.24.2022

Brooks Pierce Attorneys Present Webinar on OSHA’s COVID-19 Emergency Temporary Standard

11.19.2021

Publications

SECURE 2.0: Recent Changes to Retirement Plan Laws
01.13.2023

No More Non-Competes? Impact of FTC's Proposed Rule
01.06.2023

DOL Publishes Proposed Rule for Employee or Independent Contractor Classification
10.13.2022

Time to Refile? Assumed Business Names Filed Before Dec. 1, 2017 Expire Dec. 1, 2022
09.26.2022

Checking In: Wage Law Classification and Increased Litigation
09.13.2022