



BOYD A. BYERS

PARTNER

WICHITA OFFICE

1551 N. Waterfront Parkway, Suite 100
Wichita, KS 67206-4466

T: 316.291.9716

bbyers@foulston.com

PROFILE

Boyd Byers is the team leader of Foulston Siefkin's Employment and Labor Law practice group. He has 30 years' experience counseling on workplace-related matters and litigating employment-related disputes of all kinds. Working with clients that include Fortune 500 companies, small businesses, and nonprofits, Boyd has established a reputation throughout the Midwest as an astute problem-solver who is accessible, frank, and driven to achieve the best possible outcomes.

Boyd has successfully represented clients in class and individual employment law claims of all kinds (discrimination, harassment, retaliation, non-compete, wage-and-hour, employee benefits, labor disputes, etc.), including numerous class and collective action cases. In addition to his significant litigation practice, Boyd is also known for devising and implementing labor and employment strategies, drafting employment contracts and policies, navigating wage-and-hour compliance issues, structuring reduction-in-force programs, preparing affirmative action programs, and handling day-to-day HR issues.

Named by *Best Lawyers* as Wichita's 2022 "Lawyer of the Year" for Labor and Employment Litigation. The 2017, 2020, and 2023 Wichita "Lawyer of the Year" for Labor Law (Management Side), and 2015 and 2024 "Lawyer of the Year" for Employment Law (Management Side), and regularly honored by *Chambers USA*, *Martindale-Hubbell*, and *Super Lawyers*, Boyd credits his success to carefully evaluating the issues at hand, understanding his clients' objectives, and striving to achieve their goals with efficiency and economy. Praised by clients as being "highly intelligent and very practical," his service approach is forthright and honest. Boyd believes that telling a client what they *need* to hear – not what they *want* to hear – is the most effective way to devise the best resolution strategies and establish trusted partnerships.

Widely recognized as an authority on employment law issues, Boyd shares his insight with legal peers, business owners, company managers, and HR professionals around the country. He has published hundreds of articles and is a sought-after speaker at seminars and conferences. Boyd is a co-editor of BLR's Kansas Employment Law Letter, co-founder and co-editor of the *Foulston Employment Law Blog*, and a member of the board of editors for both the *Journal of the Kansas Bar Association* and *HR Insight*, a national newsletter.

Boyd grew up in a small farm town and learned the value of hard work early by mowing lawns, delivering newspapers, and working in the fields. An accomplished basketball player, Boyd – he was the career

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scoring leader of his high school team – he still takes the court twice a week.

Education

- University of Iowa (J.D., 1993)
with High Distinction
- Midland University (B.A., 1990)
summa cum laude

Admissions

- Kansas (1993)
- Missouri (2021)

PRACTICE AREAS

- Employment & Labor
- Employee Benefits & ERISA
- ERISA Litigation
- Tax-Exempt/Not-for-Profit Organizations

INDUSTRIES

- Agribusiness
- Aviation & Aerospace
- Banking & Financial Services
- Construction
- Government
- Healthcare
- Hospitality & Retail
- Manufacturing
- Tax-Exempt/Not-for-Profit Organizations

RELEVANT EXPERIENCE

- Lead defense counsel in putative multi-state FLSA collective action, defeating plaintiffs' motion for conditional certification and obtaining dismissal of lawsuit.
- Lead defense counsel in putative ERISA class action, negotiating favorable and cost-effective settlement for client.
- Obtained summary judgment as lead defense counsel in numerous individual employment lawsuits.

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- Member of defense team in national race and gender discrimination class actions.

COMMUNITY INVOLVEMENT

- Exploration Place, Board of Trustees
- United Way of the Plains Young Leaders Association, Steering Committee
- Wichita Area Sexual Assault Center, former Board Member
- Greater Wichita YMCA and Andover Parks & Recreation, Youth Sports Coach

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Recognized by Best Lawyers® as the 2015 and 2024 Wichita Employment Law – Management "Lawyer of the Year," the 2017, 2020, and 2024 Wichita Labor Law - Management "Lawyer of the Year," and the 2022 Wichita Litigation - Labor and Employment "Lawyer of the Year"
- Selected by peers for inclusion in *The Best Lawyers in America*® in the area of Employment Law – Management, Labor Law – Management, and Litigation – Labor and Employment, 2007-2024; and Litigation – ERISA, 2022-2024
- Selected for inclusion in *Missouri & Kansas Super Lawyers*® List, 2008-2022 (a Thomson Reuters business)
- Identified by Chambers USA as a leading lawyer in the United States for Labor & Employment Law, 2007, 2009-2023
- Named a "Labor & Employment Star" by Benchmark Litigation, 2018-2024
- Wichita Business Journal / 40 Under 40 Business Leader, 2006
- American Bar Association Employment Law Section
- Kansas Bar Association Employment Law Section, President, 2003-04
- Journal of the Kansas Bar Association Board of Editors
- Wichita Bar Association
- HR Insight (National Newsletter) Board of Editors
- Kansas Employment Law Letter Co-editor

PRESENTATIONS

2023

- *Employee vs. Employer: An Employment Law Case Mock Trial* (Foulston Siefkin LLP, Employment Law Institute)
- *Employment Law Update: New Court Rulings and Legislation Employers Need to Know About* (Foulston Siefkin LLP, Employment Law Institute)

2022

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- Wait, Wait, Don't Sue Me (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- New Court Rulings and Legislation Employers Need to Know About (Foulston Siefkin LLP, Employment Law Institute Webinar Series)

2021

- New Court Rulings and Legislation Every Employer Needs to Know About (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- The Price Is Right – Employment Law Style (Foulston Siefkin LLP, Employment Law Institute Webinar Series)

2020

- 2020 Vision: A Look at the Latest (Non-COVID) Employment Law Cases, Issues, and Trends (Foulston Siefkin LLP, Employment Law Institute Webinar Series)
- Avoiding Common Employment Law Missteps in the New COVID World (Foulston Siefkin LLP, Employment Law Institute Webinar Series)

2019

- Employment Law and Benefit Issues Healthcare Employers Need to Know About (Foulston Siefkin LLP, Health Law Institute)
- What Fresh Hell Is This? The Latest From the Legislature, Agencies, and Courts (Foulston Siefkin LLP, Kansas Employment Law Institute)
- When Worlds Collide: Strategies for Work Comp, ADA, and FMLA Compliance (Foulston Siefkin LLP, Kansas Employment Law Institute)

2018

- Employment Law Round-Up - The Latest from the Legislature, Agencies, and Courts (Foulston Siefkin LLP, Employment Law Institute)

2017

- Employment Law Update: The Year in Review - a Peek Ahead (Foulston Siefkin Employment Law Seminar)

2016

- Winter is Here: The New FLSA Regulations and Other Wage-and-Hour Issues Facing Healthcare Providers (Foulston Siefkin Kansas Health Law Institute)
 - Employment Law Update: What's New... and What's Ahead (Foulston Siefkin Employment Law Seminar)

2015

- The Craziest Thing I Ever Heard: New Court Rulings and EEOC, NLRB, and DOL Activity that Every Employer Needs to Know About (Foulston Siefkin LLP, Employment Law Seminar)

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- "My Boss is Stressing Me Out" and Other Legitimate and Illegitimate Reasons Employees Request Time Off (Foulston Siefkin LLP, Employment Law Seminar)

2014

- How to Survive an Employment Law Sharknado (Foulston Siefkin LLP, Kansas Health Law Institute)
- Affirmative Action Update: OFCCP's New Regulations and Recent Enforcement Activity (Foulston Siefkin LLP, Employment Law Seminar)
- What's New in Employment Law (Foulston Siefkin LLP, Employment Law Seminar)

2013

- Employment Law Update (Foulston Siefkin LLP, Health Law Institute)

2012

- Employment Law Update (Foulston Siefkin, Employment Law Seminar)
- Ten Things Employers Do That Drive Their Lawyers Crazy (Foulston Siefkin Employment Law Seminar)
- Things HR Can Do Now to Take Advantage of the New Kansas Workers Comp Law (Foulston Siefkin, Foulston Siefkin Employment Law Seminar)
- Employment Law Update (Foulston Siefkin Kansas Health Law Institute)

PUBLICATIONS

2020

- DOL Revises Paid Leave Requirements Under FFCRA
-Midwest Employment Law Letter, Vol. 1, No. 11

2019

- DOL Proposes New Rules for Tipped Employees
-Kansas Employment Law Letter, Vol. 26, No. 9
- Notice How You Don't Get Two Weeks' Notice Anymore?
-Kansas Employment Law Letter, Vol. 26, No. 1

ISSUE ALERTS

2021

- Coronavirus: OSHA Vaccine-or-Test Mandate for Large Employers Active Again
- Coronavirus: UPDATE: Court Temporarily Halts Federal Contractor Vaccine Mandate Nationwide

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2020

- Coronavirus: DOL Revises Paid Leave Requirements Under FFCRA
- Coronavirus: U.S. Department of Labor Issues Regulations Explaining Paid Sick Leave and Expanded FMLA Benefits Under FFCRA
- Coronavirus: Kansas Gov. Issues Statewide Stay-At-Home Order
- Coronavirus: DOL Issues FFCRA Employee Notice Form
- Coronavirus: Sedgwick County Issues Stay-at-Home Order

2019

- DOL Proposes New Rules for Tipped Employees

2018

- Confidential Sexual Harassment Settlements Not Tax-deductible

2017

- Protect Your Employees, and Your Organization, From Harassment

2015

- Federal Contractors Will Have to Provide Paid Sick Leave
- Bank Misclassified Appraisers as Exempt from Overtime Pay, Court Says

2014

- December 2014 Affirmative Action Update

2012

- Healthcare Providers' Affirmative Action Obligations Take Center Stage

2010

- New Kansas Smoking Ban Directly Affects Employers

2008

- 2009 FMLA Forms and Compliance Manual