

Lacey Gourley

Shareholder

Practices: Labor, Employment & Immigration

Lacey Gourley is a shareholder in Winstead's Labor, Employment & Immigration Practice Group. Her practice focuses on all aspects of labor and employment law with a special emphasis on defending employers in complex state and federal court litigation throughout the United States. Lacey has extensive first-chair employment law trial experience in jury trials and arbitrations involving claims of discrimination, harassment, wrongful discharge, wage and hour, breach of employment contract, covenants not to compete, misappropriation of trade secrets, workers' compensation retaliation, whistleblower and various torts claims. Lacey's defense strategy is characterized as strategically proactive, the primary goal being to win the case before trial through aggressive discovery and motion practice. Lacey has obtained dismissals and summary judgments on behalf of clients in dozens of cases and she has successfully defended those decisions in the appellate courts.

Lacey also has extensive experience representing employers in proceedings before the National Labor Relations Board and advising clients with respect to union prevention strategies, union organizational campaigns, strike management, unfair labor practice charges, collective bargaining and arbitration.

Lacey is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization.

Representative Experience

- Advises clients in all areas of labor and employment law, including all federal and state anti-discrimination statutes, the Worker Adjustment and Retraining Notification Act, Fair Labor Standards Act, Equal Pay Act, Americans with Disabilities Act, Occupational Safety and Health Administration Act, Family and Medical Leave Act, Sarbanes-Oxley Act and Older Workers' Benefits Protection Act.
- Represents employers before administrative agencies such as the EEOC, Department of Labor, OSHA, Texas Workforce Commission – Civil Rights Division.
- Conducts claim avoidance training for supervisors on a variety of topics designed to minimize risks.
- Represents employers in enforcing covenants not to compete and claims regarding misappropriation of trade secrets.
- Represents employers in state and federal court employment litigation, including:
 - Jury trial representing company in lawsuit by two former employees alleging race discrimination (verdict for the company).
 - Jury trial representing company in lawsuit by former employee alleging sex and disability discrimination and retaliation under the Family Medical Leave Act (partial verdict for the company).
 - Jury trial representing company in lawsuit by former employee alleging age discrimination during reduction in force (verdict for the company).



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San Antonio Office

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Education

Texas Tech University School of Law
– J.D., 1984
– *cum laude*
– Editor, *Texas Tech Law Review*
– Order of the Coif

Southwest Texas State University
– B.A., 1981
– *summa cum laude*

- Jury trial representing company in lawsuit by former employee alleging national origin discrimination (directed verdict for the company).
- Represented company in class action alleging failure to hire based on national origin.
- Represented company in class action alleging violations of the Worker Adjustment and Retraining Notification Act.
- Acquired temporary restraining order and injunction against former employee and his new employer from using client's confidential information and trade secrets.
- Successfully represented company in arbitration alleging defamation and other torts.
- Successfully represented company in arbitration alleging sex, national origin and age discrimination.

Professional & Community Service

- State Bar of Texas
- American Bar Association (Litigation and Employment Sections)
- Travis County Bar Association
- Travis County Labor and Employment Law Forum
- Girl Scouts of America, Leadership
- Habitat for Humanity, Building Team
- American Cancer Society, Volunteer
- Pro Bono counsel for local area non-profits

Awards & Recognition

- Texas Super Lawyers, Thomson Reuters, 2012-2018

Admissions

- Texas, 1984
- U.S. Court of Appeals, Fifth and Sixth Circuits
- U.S. District Court Northern, Southern, Eastern and Western Districts of Texas