

## Amber K. Dodds

Managing Partner – San Antonio

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**SAN ANTONIO**

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Amber Dodds counsels employers in all areas of employment law. Her advice includes analysis and direction on issues such as leave administration, employee investigations, use of background checks and consumer reports, employee discipline and preventing harassment and retaliation claims. She drafts employment policies and employee handbooks specific to client industry and management needs. Amber routinely advises on employee pay practices, such as compliance with overtime, per diem, pay deduction, and exemption classification requirements. She has experience advising clients on compliance with Occupational Safety and Health Act (OSHA) regulations, including the General Duty Clause and a variety of industry and hazard-specific regulations.

Amber devotes a significant portion of her practice to counseling clients in the labor and employment aspects of large merger and acquisition transactions, including diligence, strategizing on employment issues, risk analysis, integrating third-party staffing entities, and drafting relevant provisions of purchase agreements, transition services agreements and other related documents.

In addition to regulatory and employment-law compliance, Amber represents employers in administrative investigation and hearings, settlement negotiations, and federal and state court litigation. Her litigation matters have included a variety of employment-law claims, such as retaliation, wrongful termination, discrimination, harassment, enforcement of restrictive covenants and wage-and-hour matters in the public, private and religious organization employer context. Amber is also experienced in Fair Labor Standards Act (FLSA) collective action litigation, including class certification and notice issues.

Amber served as an intern in the United States District Court for the Western District of Texas with the Honorable Lee Yeakel and the Texas First Court of Appeals with Justice Evelyn V. Keyes.

### **Industries**

[Energy](#)

[Healthcare](#)

### **Practices**

[Healthcare & Life Sciences](#)

[Incident Prevention & Response](#)

[Labor & Employment](#)

## **Experience**

### **Hospital system**

- represented hospital in all aspects of Department of Labor FMLA compliance review, including on-site interview with DOL investigator, and achieved an investigation conclusion without notice of FMLA violations

### **Large investment management firm**

- represented company in various aspects of employment law compliance, including updates to employee handbook, separation agreements and development of California-specific workplace safety programs

### **Flare gas capture and redistribution company**

- represented company on termination of executive-level employee, including drafting separation agreement incorporating extensive executive employment agreement separation requirements and coordinating payments under multiple incentive compensation programs

### **Cornerstone Building Brands, Inc.**

- advised on employment-related diligence, transition services, retention bonuses and onboarding process issues related to acquisition of window-production manufacturing business

### **Carbon capture and storage firm**

- advised on termination of executive-level employee, correction of employment tax issues, preparation of employment agreements and separation agreements, and addressed issues related to non-competition provisions

### **Nationwide motor manufacturing and repair firm**

- enforced a non-competition and non-solicitation agreement against former salesman, including obtaining injunctive relief in litigation, an agreed final judgment, and return of company property

### **Religious organization**

- advised on investigation of workplace complaints regarding high-level administrative employee and negotiation of employee separation

### **Aris Water Solutions, Inc.**

- advised Aris Water Solutions, Inc. in its acquisition of seven saltwater disposal wells and related infrastructure from Delaware Energy Services, LLC for approximately 3.37 million of Class A shares of Aris stock plus a small, volumetric-based contingent consideration paid over five years

## **Automobile dealership**

- successful defense of Unfair Labor Practice Charge alleging termination for discussing wages, including National Labor Relations Board denial of former employee appeal of Regional Director's refusal to issue a complaint

## ***Alice Meadows v. Texas TransEastern, Inc.* (55th Judicial District Court, Harris County)**

- Obtained jury verdict in favor of Texas TransEastern on claims that it discriminated, harassed, failed to accommodate and retaliated against a former employee because of a disability. Also obtained an advisory verdict from the jury that Texas TransEastern be paid the attorneys' fees it incurred defending against the plaintiff's claims.

## **International cybersecurity and logistics provider**

- arbitration of former employee in Americans with Disabilities Act, Family and Medical Leave Act, and breach of contract claims; obtained dismissal of most claims through motion briefing; resolved remaining claims for minimal settlement amount

## **Bexar County, Texas**

- *Reyes v. Bexar County et al.*, (W.D. Tex.); against deputy constable First Amendment claim regarding employment termination; drafted successful motion for summary judgment resulting in dismissal of case

## **Multi-state organization of national religious denomination**

- led financial evidence section of legal team in state court financial fraud litigation; developed expert report and damages model with client and forensic accounting expert; obtained judgment for full amount of damages model, totaling more than \$2 million, in favor of client

## **Fortune 20 vehicle sales and rental company**

- Equal Employment Opportunity Commission directed investigation of hiring practices for compliance with Age Discrimination in Employment Act, including review of hiring process and documents, strategy, preparation of submission to Commission, and response to Commission inquiries

## **National energy production company**

- Fair Labor Standards Act collective action litigation; co-wrote successful motion opposing class certification; grant of motion led to very favorable settlement

## **REXAM Beverage Can Americas**

- multiple grievances filed by union representing its employees; advice involved multiple mediations and settlement of grievances

## Leading beverage distributor

- contesting OSHA citations under the Process Safety Management, confined space entry, and grain dust standards; representation included depositions of multiple OSHA investigators; extensive research on affirmative defenses; finding, engaging and interviewing an expert witness; and ensuring compliance with abatement requirements under the resulting abatement agreement

## Manufacturing company

- analyzed business need to reduce staff and designed reduction in force program that complied with the Age Discrimination in Employment Act; drafted employee notice for compliance with federal Worker Adjustment and Retraining Notice Act; counseled client regarding options for benefits, drafted communication with participants, produced separation agreements, and assisted client with implementation

## Private university

- designed successful Voluntary Exit Program enabling university to meet financial constraints through employee voluntary separation from employment; program provided benefits to two employee groups, staff and faculty, in compliance with Age Discrimination in Employment Act; counseled client regarding options for benefits, drafted communication with participants, produced separation agreements, and assisted client with implementation

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## Credentials

### Education

- The University of Texas School of Law, J.D., 2012, *with honors*
- Boston University, Master of Theological Studies, 2008, *summa cum laude*
- Trinity University, B.A., 2006, *summa cum laude, Phi Beta Kappa*

### Bar Admissions

- Texas

### Affiliations

- Texas Bar Foundation, Fellow, 2022
- Concordia University, Nebraska, Personnel Committee, 2016 – 2025
- YWCA San Antonio, Board of Directors, Member 2014 – 2019; Board Secretary 2018 – 2019

## Recognition

### ALM

- *Texas Lawyer*, Texas Legal Excellence Awards, Texas Lawyer On the Rise, 2022

### American City Business Journals

- *San Antonio Business Journal*, 40 Under 40, 2022

### BL Rankings

- *Best Lawyers*, Ones to Watch, Labor and Employment Law – Management, 2021 – 2022, 2024 – 2025

### Lawdragon Inc.

- *Lawdragon 500 Leading Corporate Employment Lawyers*, Employment Law, 2024 – 2025
- *Lawdragon 500 X – The Next Generation*, Employment, 2023 – 2024

### U.S. District Court for the Western District of Texas

- Intern

### Texas First Court of Appeals

- Intern

### The University of Texas School of Law

- *Texas International Law Journal*, Article and Notes Editor
- Dean's Achievement Award, Outstanding Performance in Business Associations

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## Resources

### Religious Education Employers see Two Significant Jurisdictional Decisions in Summer 2020

Update

### The 2020 Election: Previewing the Potential for Shifts in Labor & Employment Law

Update

## **Marijuana and Workplace Safety: Managing the Risk of Occupational Accidents as Cannabis Use Increases and Legal Prohibitions Are Relaxed**

Video

## **Unintended Consequences: Legal Compliance Concerns With Long-Term Remote Work Arrangements**

Video

## **What to Expect From a More Aggressive OSHA in the Next 12 Months**

Video

## **Bonuses Tied to Low Injury Rates: Will They Be Unacceptable to Biden's OSHA**

Video

## **Employment Background Check Class-Action Litigation: Avoiding the Seemingly Minor Mistakes Fueling a Costly Wave of New Lawsuits**

Video

## **Kema Ogden: Dispensing Cannabis, Dispensing Wisdom, Creating Community!**

Podcast

## **Fifth Circuit Sets New Framework for Fair Labor Standards Act Certification Analysis**

Update

## **Vaccine Incentives: How Employers Can Encourage Employee Vaccination**

Update

## **Fifth Circuit Holds Highly Compensated Oilfield Workers Paid a Day Rate are Entitled to Overtime**

Update

## **OSHA Issues COVID-19 Emergency Temporary Standard Requiring Employee Vaccination or Weekly Testing**

Update

## **President Biden and OSHA Launch New Effort to Protect Workers from Heat Hazards, Indoors and Outdoors**

Update

## **Federal Court of Appeals Allows OSHA's Vaccination/Testing Rule for Employers with 100+ Employees to Go Forward**

Update

## **The 411 on 420: Can Employers Still Test for Marijuana?**

Article

## **Given Deadlines Set by Sixth Circuit, ETS Likely Stayed Until at Least December 10, 2021**

Update

## **Federal Contractor COVID-19 Vaccination Requirements: Are Changes Coming?**

Update

## **US Supreme Court: Highly Compensated Oilfield Workers Entitled to Overtime**

Update

## **Proliferation of Laws Providing Employment Protections for Marijuana Users Complicate Businesses' Efforts to Maintain Occupational and Public Safety**

Article

## **Federal Contractors Beware: New Hiring Restrictions Proposed on Companies Doing Business With the Federal Government**

Update

## **How Meta's \$1.4 Billion Settlement Impacts Your Obligations Under the Texas Capture or Use of Biometric Identifier Act**

Update

## **AI in Your Workplace**

Video

## **Using the False Claims Act to Police Federal Contractors' Employment Practices**

Update

## **Employees in the “Majority” Do Not Have Higher Burden When Proving Discrimination Says Unanimous Supreme Court**

Update

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### **Publications & Speeches**

- “Employment Changes in the New Administration,” Industry Group Webinar, May 28, 2025.
- “Artificial Intelligence in Your Workplace,” Bracewell Webinar, November 14, 2024.
- “Unintended Consequences: Foreseeing the Legal Compliance Concerns Associated with Long-Term Remote Work Arrangements,” Bracewell Webinar, December 8, 2022.
- “Proliferation of Laws Providing Employment Protections for Marijuana Users Complicate Businesses’ Efforts to Maintain Occupational and Public Safety,” *Texas Lawyer*, May 18, 2022.
- “The 411 on 420: Can Employers Still Test for Marijuana?” *IndustryWeek*, April 14, 2022.
- “Marijuana: Managing Workplace Safety as Use Becomes more Pervasive and Laws Become More Permissive,” Bracewell Webinar, April 7, 2022.
- “Developments in Disability Discrimination Law,” Annual Presentation at the University of Texas Labor and Employment Law Conference, 2019 - 2025.