

Carole G. Miller

Principal

Birmingham

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Carole Miller serves as a Practice Group Leader of Bressler's Labor and Employment practice, and is a member of the firm's Executive Committee. She practices exclusively in the area of labor and employment law.

Throughout her over twenty-five years of practice, Carole has represented employers with regard to the full spectrum of employment claims, with a particular focus in the financial services industry. Her employment practice is national in scope. She has litigated claims pending in more than thirty states and regularly appears before FINRA, AAA and JAMS with respect to employment-related matters brought against brokerage firms and other financial services firms and institutions.

In servicing her clients, Carole often acts as an extension of their legal and management team. She advises clients at every stage of the employment relationship, ranging from the initial hiring process, to every facet of daily operations, including defining job duties, compensation, promotions, reviews, performance management issues, terminations, lay-offs and the like. She provides practical advice and solutions aimed at avoiding litigation, but is an aggressive advocate for clients when litigation ensues.

In addition to litigating and arbitrating claims, Carole conducts management and employee training programs related to employment issues in the workplace, as well as drafts and updates policies and handbooks. As labor laws and regulations continue to proliferate, Carole works to keep her clients informed of changes in the law with recommended compliance and litigation avoidance strategies.

Carole's commitment to her clients and colleagues extends to the community in which she lives and works. She has been active on several Boards including Leading Edge Institute, a leadership program for Alabama's college woman, Children's Village Board, Advisory Board for the National Multiple Sclerosis Society. Carole is also a graduate of the Birmingham Project Corporate Leadership initiative.

2001 Park Place North
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AREAS OF PRACTICE

Employment Strategic Advice
& Counseling

Executive Compensation &
Employee Benefits

FINRA Employment
Arbitrations

General Litigation

Labor & Employment Law

Labor & Employment Litigation

Labor Law

Trade Secrets & Unfair
Competition

Wage and Hour Law

EDUCATION

- University of Alabama
School of Law, J.D., *summa
cum laude*, 1995
- Samford University, B.S.,
summa cum laude, 1992

ADMISSIONS

Alabama

Alabama, state and federal
courts

U.S. Court of Appeals, Eleventh
Circuit

Awards & Accolades

- Recognized in the *Chambers USA Guide to "America's Leading Lawyers for Business"* for Labor and Employment, 2010-2022
- Named to *Birmingham Business Journal's* "Best of the Bar," 2022
- Selected to the list of the *Mid-South Super Lawyers*, Employment & Labor, 2008-2023
- Selected to the list of *Super Lawyers*, "Top 50 Alabama Lawyers," 2012-2018, 2021-2023
- Selected to the list of *Super Lawyers*, "Top 50 Birmingham Lawyers," 2018, 2021
- Selected to the list of *Super Lawyers*, "Top 25 Women Lawyers in Alabama," 2012-2015
- Selected to the list of *Super Lawyers*, "Top 50 Mid-South Women Lawyers," 2016-2023
- Included in the list of the *Best Lawyers in America*[®], 2010-2024
- Received the *Best Lawyers in America*[®], "Lawyer of the Year" award for Litigation - Labor and Employment in Birmingham, AL, 2016-2017
- Selected to the list of *Martindale-Hubbell AV*[®] Preeminent lawyers
- Selected to the list of *Martindale-Hubbell* "Bar Register of Preeminent Women Lawyers"

No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. A description of the award methodologies can be found [here](#).

Experience

- Successfully represented major securities firm in gender discrimination suit brought by four former female financial advisors challenging their inclusion in a reduction in force and claiming their performance was impacted by various alleged discrimination practices; summary judgment was awarded with regard to all Title VII and state discrimination and retaliation claims; the NYC discrimination claims were re-filed in state court and also dismissed pursuant to summary judgment by the New York County Supreme Court
- Won a FINRA arbitration on behalf of a major broker-dealer brought by former investment adviser challenging his failure to receive a bonus and other compensation after he was terminated late in the year for violation of the firm's electronic communications policy

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Seventh Circuit

U.S. Supreme Court

- Prevailed fully in two separate FINRA arbitrations brought by former financial advisors asserting federal (ERISA) and state law claims relating to their loss of incentive compensation awards following their departure from the firm
- Successfully represented a major financial institution in an arbitration filed by a current employee asserting gender discrimination and retaliation under federal and New York law relating to compensation and various practices where, after nine days of hearing, the Panel found in full favor of our client and awarded no damages; we successfully opposed Claimant's motion to vacate before a New York District Court, which was later affirmed by the Second Circuit
- Won a FINRA arbitration on behalf of a major brokerage firm and three managers brought by a former California financial advisor claiming a host of employment related claims arising from his performance based discharge and U5 filing
- Successfully defended a financial institution with regard to claims brought by a former employee before the HRC and a federal court asserting a variety of harassment and discrimination claims, along with several state law claims (including eavesdropping claims); complete summary judgment was awarded in both forums as to all claims on behalf of the Company and the individuals we jointly represented, which was affirmed by the Seventh Circuit
- Secured complete summary judgment on behalf of an educational institution with regard to race discrimination and retaliation claims brought by a former admissions associate challenging her performance based discharge
- Obtained summary judgment in race and retaliation suit brought by former employee of an educational client challenging his discharge and failure to be promoted while employed

News & Alerts

52 Bressler Attorneys Recognized by Best Lawyers in America 2024, Including 2 "Lawyer of the Year" and 16 "Ones to Watch"

Firm News, 08.17.2023

Chambers USA 2023 Recognizes 13 Bressler Attorneys and Five Practice Areas

Firm News, 06.01.2023

Speaking Engagements & Events

Carole Miller and Ronak Patel to speak at SIFMA 2024 C&L Annual Seminar Conference, Orlando, FL, March 17-20, 2024

Civic Involvement

- Board Member, Leading Edge Institute
- Board Member, Children's Village
- Board Member, Advisory Board for the National Multiple Sclerosis Society

Professional Affiliations

- Fellow, The College of Labor and Employment Lawyers
- Member, Women's and Labor and Employment Sections, Alabama State Bar Association
- Member, Birmingham Bar Association
- Member, Compliance and Legal Division, SIFMA
- Fellow, American Bar Foundation