

James P. Smith

Shareholder

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Focus Areas

Business Restructuring and M&A
Unfair Competition and Trade Secrets
Leaves of Absence and Disability Accommodation
Discrimination and Harassment
Litigation and Trials
Energy

Overview

James P. Smith focuses his practice on employment litigation, labor arbitrations, collective bargaining and helping management resolve employment-related issues. He has wide-ranging civil litigation experience in both employment and commercial matters and has handled cases involving:

- Age, race, gender and disability discrimination and harassment
- Unfair competition and trade secret matters
- Leave and disability
- Compensation
- Wage and hour
- Labor disputes
- Business restructuring, including reorganizations and acquisitions
- Section 1983

He has successfully represented clients in complex disputes before federal and state courts throughout the country and before administrative agencies, including the Equal Employment Opportunity Commission, the Department of Labor, the National Labor Relations Board and various state civil rights commissions. He also appears before labor and

employment arbitrators and has obtained favorable results for employers at both the trial and appellate levels. He has specific knowledge of the following statutes:

- Title VII
- The Americans with Disabilities Act
- The Family and Medical Leave Act
- The Age Discrimination in Employment Act
- The Genetic Information Nondiscrimination Act
- The Uniform Trade Secrets Act
- Ohio and federal collective bargaining laws
- The Ohio Civil Rights Act
- The Worker Adjustment and Retraining Notification Act
- The Older Workers Benefit Protection Act

Jim also advises employers on a variety of day-to-day issues that confront management. These include the management of employee issues related to federal and state anti-discrimination laws, as well as employee discipline and employee separation.

Additionally, Jim speaks on a wide variety of subjects concerning employers, including:

- Discrimination
- Harassment
- Restrictive covenants
- Disability
- Leave issues
- The FMLA
- Litigation strategies

He works with a broad range of clients, particularly in the following industries:

- Technology companies
- Hotels
- Hospitals
- Financial institutions
- Manufacturers
- Communications institutions
- Insurance companies
- Public sector employers

Prior to working at Littler, James worked for a well-established regional labor and employment law firm where he developed wide-ranging civil litigation experience in both employment and commercial matters. In law school, he was a member of the *Immigration and Nationality Law Review*.

Professional and Community Affiliations

- Member, Labor Law Section, American Bar Association
- Member, Ohio Bar Association
- Member, Cleveland and Ohio Employment Inns of Court

Recognition

- Named, The Best Lawyers in America®, 2018-2025
- Named, Rising Star, Ohio, *Super Lawyers*, 2006 and 2009-2016
- Dean's List, University of Cincinnati College of Law

Education

J.D., University of Cincinnati College of Law, 2001

B.A., Yale University, 1998

Bar Admissions

Ohio

Courts

U.S. Court of Appeals, 6th Circuit

U.S. District Court, Northern District of Ohio

U.S. District Court, Southern District of Ohio

U.S. District Court, Eastern District of Michigan

Publications & Press

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Labor and Employment Issues Facing the Healthcare Industry

Littler Report

July 11, 2019

Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 15, 2018

Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers

Littler Press Release

August 17, 2017

Inevitable Disclosure in the Absence of a Non-Compete? Maybe Not, Says Ohio Court

Littler ASAP

September 13, 2011

Who's Watching the Kid? The Department of Labor Expands the FMLA Definition of a Son/Daughter for the Purposes of Child-Related Leaves

Littler Insight

June 27, 2010

Littler Mendelson Announces Twenty-Seven Newly Elevated Shareholders

Littler Press Release

January 8, 2009

Speaking Engagements

2024 Ohio Regional Employer Conference

Cleveland, OH

October 10, 2024

2022 Ohio Regional Employer Conference

Cleveland, OH

October 6, 2022

2021 Ohio Virtual Regional Employer Conference

October 14, 2021

2018 Ohio Regional Employer Conference

Cleveland, OH

October 18, 2018

Healthcare Industry Roundtable

May 10, 2017

2013 Ohio Regional Employer Conference

Cleveland, OH

October 24, 2013

Corporate Compliance & Ethics for HR and In-House Counsel: What You Need to Know to Keep Your Company Out of the Headlines

Littler Mendelson, Cleveland, OH

October 25, 2012

Ohio Employer Conference

Cleveland, OH

October 25, 2012

GINA: Everything You Wanted to Know But Were Afraid to Ask

Littler Mendelson

April 2011

Big Government is Back: Hot Button Issues in Employment Law 2010

Association of Corporate Counsel

May 2010

2010 Employment Law Update

AARP

May 2010