



## 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®, 2018-2020
- 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® 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**

**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

**Ohio Employer Conference**

Cleveland, OH

October 25, 2012

**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

**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