

Brendan Fitzgerald

Shareholder

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Focus Areas

Labor Management Relations
International Employment Law
Business Restructuring and M&A
Discrimination and Harassment
Healthcare

Overview

In Brendan Fitzgerald's labor and employment law practice, he regularly advises and represents employers in a broad range of labor and employment law matters arising under international, federal, and state laws. He assists clients with a wide range of issues related to labor management relations, including:

- National Labor Relations Board and related federal court proceedings
- Election campaigns
- Labor relations assessments and strategies
- Labor arbitrations
- Collective bargaining and contingency planning efforts

As a complement to this domestic labor management relations practice, Brendan helps multinational corporations based in the United States and abroad formulate and implement strategies to respond to efforts by labor unions and nongovernmental organizations to discredit them through global campaigns. His work includes:

- Developing global labor relations and management strategies
- Establishing, implementing and managing corporate codes of social responsibility and human rights policies
- Assisting with proceedings involving the United Nations Global Compact and the Organisation for Economic Cooperation and Development
- Aiding global employers regarding the design and implementation of human resources policies

Brendan also regularly counsels employers on complex labor and employment issues that arise in the context of corporate transactions, including mergers and acquisitions, bankruptcy, downsizing, reorganization and turnaround work with troubled companies or industries. This includes transaction planning, due diligence, deal documentation, assistance with plant closure and notification obligations, renegotiation of labor agreements and pre-and post-closing integration activities.

Brendan practices in various federal and state courts and administrative agencies on a variety of employment law matters, including a wide range of discrimination, harassment and retaliation claims, and he has assisted in the defense of a number of class actions arising under federal and state laws.

Brendan's entire practice is guided by his having spent more than two years in-house within the healthcare field. During his time away from the firm, Brendan developed and implemented comprehensive labor relations and positive employee relations strategies. This experience has given Brendan a unique lens to assist clients in developing and implementing practical solutions.

Professional and Community Affiliations

- Member, Labor and Employment Law Section, Ohio State Bar Association

Recognition

- Named, Rising Star, Ohio, *Super Lawyers*, 2015-2017

Education

J.D., The Ohio State University Moritz College of Law, 2008

B.S., Miami University, 2004

Bar Admissions

Ohio

District of Columbia

Courts

U.S. Court of Appeals, 5th Circuit

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. Court of Appeals, District of Columbia

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

Littler Elevates 33 Attorneys to Shareholder

Littler Press Release

January 6, 2022

NLRB Rejects Browning-Ferris and Returns to Prior Joint-Employer Standard that Benefits Union and Non-Union Employers Alike

Littler Insight

December 19, 2017

Annual Report on EEOC Developments – Fiscal Year 2016

Littler Report

February 27, 2017

Annual Report on EEOC Developments – Fiscal Year 2015

Littler Report

January 12, 2016

How Broad is Broad? New DOL Guidance Determines "Most Workers Are Employees"

Littler Insight

July 22, 2015

Annual Report on EEOC Developments - Fiscal Year 2014

Littler Report

January 5, 2015

Buyer Beware – Continuing Its Controversial Changes, NLRB Increases the Price Tag of a Successor's Unlawful Failure to Hire Its Predecessor's Employees

Littler Insight

October 8, 2014

Annual Report on EEOC Developments - Fiscal Year 2013

Littler Report

January 22, 2014

Annual Report on EEOC Developments – Fiscal Year 2012

Littler Report

January 8, 2013

Speaking Engagements

2024 Ohio Regional Employer Conference

Cleveland, OH

October 10, 2024

Modern Labor – Everything Has Changed

April 9, 2024

2018 Hot Topics in Employment and Labor Law

Columbus, OH

February 1, 2018

2017 Hot Topics in Employment & Labor Law

Columbus, OH

February 2, 2017

Books & Book Chapters

- *Developing Labor Law*, contributing editor
- *How To Take A Case Before the NLRB*, contributing editor
- *Opportunity at Risk: A New Joint Employer Standard and the Threat to Small Business*, U.S. Chamber of Commerce Workforce Freedom Initiative, co-author, March 2015
- *Change is the Only Constant: A Year of Developments in Federal Labor Law*, American Bar Association, Tort Trial & Insurance Practice Section, co-author, 2015 yearly update
- *National Labor Relations Developments*, American Bar Association, Tort Trial & Insurance Practice Section, co-author, Fall Quarter 2015