

Chad J. Kaldor

Shareholder

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Focus Areas

Unfair Competition and Trade Secrets
Discrimination and Harassment
Business Restructuring and M&A
Background Checks

Overview

Chad J. Kaldor advises and represents employers in a broad range of employment law matters arising under federal and state laws and has handled both nationwide class actions and individual lawsuits. Chad has defended numerous employers against claims alleging violations of state and federal anti-discrimination and anti-retaliation laws and state and federal employee leave laws. He appears regularly in state and federal courts, as well as before the Equal Employment Opportunity Commission and other government agencies. A skilled litigator, Chad has obtained dismissals and summary judgments in cases involving background check, sexual harassment, race, sex, pregnancy and wage discrimination, whistleblower, and retaliation claims, among others.

Background Checks. Chad is a core member of the Littler team that handles background check matters. Chad works extensively with employers on compliance with the wide array of laws governing the use of background checks when making employment decisions. These laws include the federal Fair Credit Reporting Act (FCRA), state and local “ban the box” laws, state fair credit reporting acts, Title VII, and state and local anti-discrimination laws. Chad likewise advises and represents consumer reporting agencies on compliance with, and in litigation arising from, these background check laws. He has served as lead or co-lead counsel in numerous putative class action cases against employers and consumer reporting agencies for alleged violations of the FCRA. Chad has also worked extensively with in-house legal departments and human resources departments in developing background check procedures and processes in various industries, including commercial trucking and logistics, healthcare, insurance, manufacturing, and retail.

Business Restructuring and M&A. Chad is a core member of Littler’s Business Restructuring and M&A Practice Group. He regularly advises employers on issues arising from reductions-in-force, mass transfers of employees to different entities, and other business restructuring matters. This includes advice relating to compliance with various state and federal laws, including the federal Worker Adjustment and Retraining Notification Act (WARN), state and local mini-WARN and notice statutes, the Older Workers Benefit Protection Act (OWBPA), and state and local laws impacting severance agreements. Chad has also assisted employers with employment law issues arising in the context of mergers and acquisitions, including conducting pre-acquisition due diligence and strategies for addressing any issues that are discovered.

Unfair Competition and Trade Secrets. Chad has extensive experience advising and representing employers with respect to laws governing restrictive covenant agreements and trade secrets. Chad has worked with numerous employers to develop employee restrictive covenant and confidentiality agreements in multiple states. He has served as lead or co-lead counsel for employers in both the prosecution and defense of restrictive covenant, trade secret, and corporate raiding litigation, obtaining decisions granting injunctive relief on the plaintiff-side and denying injunctive relief on the defense-side.

After graduating from law school, Chad served as a judicial law clerk to the Hon. Brian Sandoval of the U.S. District Court for the District of Nevada. In law school, he was managing editor of the *Ohio State Law Journal*.

Professional and Community Affiliations

- Member, Ohio State Bar Association

Recognition

- Recipient, CALI Excellence for the Future Award in Employment Law

Education

J.D., The Ohio State University Moritz College of Law, 2005, *With Honors*
B.A., Allegheny College, 2002, *magna cum laude*

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, District of Colorado
U.S. District Court, Northern District of Florida
U.S. District Court, Northern District of Indiana
U.S. District Court, Southern District of Indiana
U.S. District Court, Eastern District of Wisconsin
U.S. District Court, Western District of Wisconsin

Publications & Press

Ninth Circuit Rules Only Named Plaintiff Must Have Article III Standing For Class Certification

Littler Insight

March 2, 2020

Toledo Becomes Second Ohio City to Pass Salary History Ban

Littler ASAP

August 5, 2019

Cincinnati Bans Salary History Inquiries

Littler ASAP

March 15, 2019

Littler Elevates 28 Attorneys to Shareholder

Littler Press Release

January 3, 2018

Checking in on Employment Background Checks

Client White Paper

November 2017

Beware Spokeo?

National Association of Professional Background Screeners Journal

May 1, 2017

Third Circuit Rules "Subgroup" Disparate Impact Claims Are Cognizable Under the ADEA

Littler Insight

February 14, 2017

The Big Move Toward Big Data in Employment

Littler Report

August 4, 2015

Speaking Engagements

State of the States

2021 PBSA Mid-Year Legislative & Regulatory Conference

April 20, 2021

Brain Twisters in Employment Screening

PBSA Annual Conference

September 2020

The Next Normal: Getting Back to Business in Ohio

August 3, 2020

Upgrading Personnel Practices to Enhance Compliance

PBSA Webinar

May 27, 2020

FCRA Basics: Spotting Common Traps for CRAs

NAPBS Annual Conference

September 10, 2019

How to Ride the Next Wave of Background Check Class Actions? Get Up to Speed Now on Gnarly State and Local Requirements

2019 Executive Employer Conference, Phoenix, AZ

May 9, 2019

Employers and CRAs as Partners: 5 Tips for Enhancing Compliance and Applicant Experience

NAPBS Mid-Year Legislative and Regulatory Conference, Arlington, VA

March 25, 2019

2019 Hot Topics in Employment and Labor Law

Columbus, OH

February 21, 2019

Background Checks

Littler Executive Employer, Phoenix, AZ

May 4, 2018

2018 Hot Topics in Employment and Labor Law

Columbus, OH

February 1, 2018

Digging Into Background Checks—Advanced Issues and Complex Relationships

Littler and ACC of Central Ohio Employment Law Update, Cleveland, OH

June 15, 2017

2017 Hot Topics in Employment & Labor Law

Columbus, OH

February 2, 2017

Strategies for Managing Employee Leave and Medical Issues Amid Conflicting Concerns

Littler and Human Resources Association of Central Ohio Employment Law Update

July 17, 2014

Goodbye is Forever or Isn't It? Planning for Departure, Getting Clear Title to Your Social Media Assets and Otherwise Protecting Your Business Information

Littler and Human Resources Association of Central Ohio Employment Law Update

July 18, 2013