

Jeff Nowak

Shareholder
Co-Chair, Leaves of Absence and Disability
Accommodation Practice Group

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Focus Areas

Leaves of Absence and Disability Accommodation
Hiring, Performance Management and Termination
Investigations
Litigation and Trials
Healthcare
Higher Education
Retail

Overview

Jeff Nowak has decades of experience advising and litigating on behalf of employers on a wide range of complex employment law matters so they can run the most profitable business and efficient operations without being side-tracked by discrimination claims, strikes or other workplace issues.

Jeff is a recognized leader on FMLA and ADA issues, helping employers develop comprehensive strategies to achieve compliance with employee leave and accommodation issues. Jeff is lauded by clients for his ability to bring a practical approach and unflappable demeanor to the most sensitive and difficult situations, always with an eye on the client's business and operational objectives. Given his experience in leave management and workplace accommodations, Jeff regularly counsels some of the country's largest and diverse employers on these critical employment issues.

Jeff is the author of the highly regarded *FMLA* Insights blog, which has earned him entry into the ABA Journal's Blogger Hall of Fame. He also is a highly-sought after speaker on FMLA/ADA issues, most notably serving on the faculty of the

National Employment Law Institute (NELI) and a frequent speaker for the Disability Management Employer Coalition (DMEC).

Professional and Community Affiliations

- President, La Grange Little League
- Past Village Trustee, Village of LaGrange, Illinois
- Past Member, Board of Directors, Marist High School

Recognition

- Named, The Best Lawyers in America®, 2016-2025
- Named, Lawyer of the Year, Chicago, *The Best Lawyers in America*®, 2024
- Ranked, Labor & Employment, *Chambers USA*, 2017-2024
- Fellow, *College of Labor & Employment Lawyers*, Class of 2023
- Recipient, DMEC Partnership Award, *Disability Management Employer Coalition*, August 2014

Education

J.D., Indiana University Maurer School of Law, 1999, *cum laude*

B.A., Indiana University, 1995

Bar Admissions

Illinois

Courts

U.S. Supreme Court

U.S. Court of Appeals, 7th Circuit

U.S. District Court, Northern District of Illinois

U.S. District Court, Central District of Illinois

U.S. District Court, Northern District of Indiana

U.S. District Court, Southern District of Indiana

Publications & Press

Innovative Approaches to Paid Leave

SHRM

July 23, 2024

Innovative Approaches to Paid Leave

SHRM Online

June 24, 2024

Littler Ranked in 2024 Chambers USA Guide

Littler Press Release

June 6, 2024

Chicago Finalizes Rules on New Paid Leave and Paid Sick Leave Ordinance

SHRM Online

June 3, 2024

Stryker Worker Appeal Puts Focus on Early Leave for Child Birth

Bloomberg Law

May 16, 2024

Not Too Little But Maybe Too Late? Illinois Finalizes Regulations Interpreting Paid Leave For All Workers Act Four Months After Law Takes Effect

Littler Insight

May 3, 2024

Chicago Finalizes Interpretive Rules in Advance of July 1, 2024, Effective Date of New Paid Leave and Paid Sick Leave Ordinance

Littler Insight

May 3, 2024

PWFA's Essential Duties Wrinkle Could Trip Up Employers

Law360 Employment Authority

April 23, 2024

How can employers address the effects of employees' mental health issues in the workplace?

Littler 2 the Point Video

February 27, 2024

The U.S. has no federal bereavement leave. What to know about options at work when someone you love dies

CNBC

January 26, 2024

Effective December 31, 2023, Cook County, Illinois Paid Leave Requirements Will Largely Mirror State Law

Littler Insight

December 15, 2023

Chicago City Council Delays Paid Leave Changes to July 1, 2024

Littler ASAP

December 13, 2023

Reverse Bullying: When Managers Feel Intimidated by Their Subordinates

SHRM Online

December 11, 2023

Paid Leave Changes Whip Through the Windy City: Chicago Enacts New Paid Leave and Paid Sick Leave Ordinance for 2024

Littler Insight

November 14, 2023

Inside Track: Should I Put That in an Email? Probably Not.

Law.com

November 9, 2023

Proposed Regulations for the Illinois Paid Leave for All Workers Act Offer Employers a Mixed Bag for Compliance

Littler Insight

November 7, 2023

How to Handle FMLA Leave During a Government Shutdown

SHRM Online

October 1, 2023

An Expanding View of Paid Leave

SHRM Online

September 15, 2023

EEOC Releases Expansive Proposed Regulations to Implement the Pregnant Workers Fairness Act

Littler Insight

August 9, 2023

Three Littler Attorneys Elected as College of Labor and Employment Lawyers Fellows

Littler Press Release

July 26, 2023

How to Avoid Legal Nightmares in Emails and Instant Messages

SHRM Online

July 5, 2023

Littler Recognized in 2023 Chambers USA Guide

Littler Press Release

June 6, 2023

Be Careful When Calculating FMLA Leave for a Week with a Holiday

SHRM Online

June 1, 2023

How to Deliver Constructive Feedback Effectively

SHRM Online

March 29, 2023

A DOL Reminder That ADA Doesn't Limit FMLA Protections

Law360

March 21, 2023

Watch Out for These FMLA Eligibility Determination Missteps

SHRM Online

March 20, 2023

How to Avoid a Claim of 'Pretaliation'

SHRM Online

March 9, 2023

Beyond the FMLA: Will a federal paid leave law ever come to pass?

HR Dive

March 6, 2023

Interpreting the FMLA, one case at a time

February 27, 2023

FMLA: The 30-year legacy of a celebrated — and complicated — employment law

HR Dive

February 3, 2023

What's New in Paid Family and Medical Leave in 2023?

Littler Insight

February 2, 2023

Illinois Set to Become Third State to Mandate Paid Leave for Any Reason

SHRM Online

January 18, 2023

Illinois Set to Become Third State to Mandate Paid Leave for Any Reason

Littler Insight

January 17, 2023

New Year, New Laws in Illinois

SHRM Online

January 3, 2023

New Year, New Laws: Illinois Legislative Amendments Employers Won't Want to Miss in 2023

Littler Insight

December 28, 2022

5 tips for managing FMLA leave and PTO in the post-COVID-19 landscape

HR Dive

October 31, 2022

Transgender Workers' Rights Expanded by Gender Dysphoria Ruling

Bloomberg Law

August 18, 2022

Viewpoint: Why Stellar Performance Should Not Justify Toxic Behavior

SHRM Online

July 28, 2022

Viewpoint: Does the FMLA Cover Abortion and Related Travel?

SHRM Online

July 21, 2022

Illinois Expands Unpaid Leave to Employees for Pregnancy and Adoption Loss

Littler ASAP

June 10, 2022

Viewpoint: How the FMLA Supports Leave for Mental Health Conditions

SHRM Online

June 2, 2022

Littler Ranked in Chambers USA Guide 2022

Littler Press Release

June 1, 2022

Viewpoint: Common FMLA Missteps—Don't Be 'That Guy'

SHRM Online

April 19, 2022

When Might an Employer Question FMLA Certification?

SHRM Online

March 10, 2022

Viewpoint: A Checklist to Prepare for the DOL's Expansion of FMLA Audits

SHRM Online

March 1, 2022

Fully Remote Companies May Not Have FMLA Protection

Inc. Magazine

February 11, 2022

House Passes Build Back Better Act with Paid-Leave and ACA 'Firewall' Provisions

SHRM Online

November 19, 2021

Under the ETS, What Paid Leave Must an Employer Provide an Employee to Obtain a COVID-19 Vaccine or Test?

FMLA Insights

November 5, 2021

OSHA's ETS Effects Paid Leave for COVID-19 Vaccines or Tests (OSHA ETS)

SHRM Online

November 5, 2021

Will Federal Paid Leave Finally Become Law? We'll Likely Learn This Week, but Here's Where We Stand as of Today

LexBlog

October 26, 2021

Why a Layoff Is Not an Alternative to Terminations for Cause

SHRM Online

October 11, 2021

Fine-Tune Call-In Procedures to Reduce FMLA Misuse

SHRM Online

October 8, 2021

Viewpoint: When Employers Fail to Designate FMLA

SHRM Online

September 22, 2021

Parents Have Few Paid Leave Rights as Covid Closes Schools Again

Bloomberg Law

August 30, 2021

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

Littler Press Release

August 19, 2021

Federal Tax Credits Now Available When Certain Employees Use Emergency Paid Leave to Help Others Obtain or Recover from COVID-19 Vaccine

Littler ASAP

August 3, 2021

Viewpoint: Which Federal and State Leave Laws Apply to Your Remote Employees?

SHRM Online

July 14, 2021

What Federal and State Leave Laws Apply to Your Remote Employee?

LexBlog

July 8, 2021

A Trifecta of Free Webinars in July: Brush Up on FMLA Misuse, PFML Developments, and ADA/Return to Work Issues

LexBlog

July 1, 2021

When Does Lengthy ADA Leave Constitute an Undue Hardship?

SHRM Online

June 16, 2021

Littler Ranked in Chambers USA Guide 2021

Littler Press Release

May 27, 2021

How HR needs to think about FMLA in a post-COVID reality

Human Resource Executive

May 24, 2021

Unanswered Questions About Paid COVID-19 Leave and Employer Tax Credits

SHRM Online

May 10, 2021

How President Biden's Paid FMLA Proposal Would Work

SHRM Online

May 4, 2021

Seeking office immunity

Daily Herald

April 21, 2021

A leave admin witnessed a worker's fall but failed to give FMLA notices, 11th Cir. Rules

HR Dive

April 21, 2021

Viewpoint: Does FFCRA Leave Exhaust FMLA Leave?

SHRM Online

April 5, 2021

There's a Lot to Unpack on the New FFCRA, and Here's My Initial Take

LexBlog

March 18, 2021

Who Wants an FFCRA Leave Update? U.S. House Version of FFCRA Provides Some Clarity for Employers

LexBlog

March 3, 2021

Coordinate FFCRA Tax Credits with FMLA

SHRM Online

February 22, 2021

Employers Offer Voluntary FFCRA-Like Leave

SHRM Online

February 3, 2021

The day has arrived, so what does a Biden presidency really look like?

LexBlog

January 21, 2021

Major Employers Targeted in Biden's Virus Paid Leave Plan

Bloomberg Law

January 15, 2021

Compulsory vaccine programs could create workplace friction

Business Insurance

January 5, 2021

Use of Telehealth to Support FMLA Leave Extended into 2021

SHRM Online

January 4, 2021

Virus Leave Turns Voluntary in 2021 as Tax Credit Extended

Bloomberg Law

December 22, 2020

Employers may extend FFCRA, but mandate ends: Experts

Business Insurance

December 22, 2020

Congress Declines to Extend FFCRA Leave, Offers Tax Credits to Those Voluntarily Providing Paid Leave

FMLA Insights

December 21, 2020

Congress Set to Approve Additional COVID-19 Relief for Individuals, Small Businesses

Littler ASAP

December 21, 2020

The EEOC Releases Guidelines on Mandatory Workplace Vaccinations

Inc.

December 17, 2020

Jury must determine whether assistant's firing covered up leave discrimination

HR Dive

December 16, 2020

How positive COVID-19 tests, underlying conditions intersect with the FMLA

HR Dive

December 14, 2020

Dealing with Employees in Crisis: Options and Resources for Today's Turbulent Times

SHRM Online

November 23, 2020

Can Employers Require that Employees Receive a COVID-19 Vaccine Before Returning to Work?

LexBlog

November 20, 2020

What is One Leave-Related Question I Would Ask Each of the Presidential Candidates?

LexBlog

September 28, 2020

What To Know About DOL's Revamped Virus Paid Leave Rule

Law360

September 16, 2020

DOL doubles down on COVID-19 paid-leave regulations after judge blocked earlier rules

Reuters Legal

September 14, 2020

DOL Revises FFCRA Regulations to Clarify Paid Leave Rules in Wake of New York Federal Court's Decision

Littler Insight

September 13, 2020

Presidential Election: Candidates Back Paid-Leave Proposals

SHRM Online

September 8, 2020

New FFCRA FAQs Address Return-to-School Leave Issues

Littler ASAP

August 28, 2020

Dear Littler: How Do We Manage Time Off, Scheduling & Accommodation Requests from Employees with Children Whose Education is Affected by COVID-19?

Dear Littler

August 26, 2020

New School Year Raises FFCRA Questions

SHRM Online

August 24, 2020

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

Littler Press Release

August 20, 2020

On-and-Off Leave for Working Parents in Limbo as Schools Restart

Bloomberg Law

August 18, 2020

Why the 'Honest Belief' Defense in FMLA Cases Is Actually Working

Risk and Insurance

August 11, 2020

NY Federal Court Strikes Down Key Provisions of DOL Rule Regarding FFCRA Paid Sick and Expanded FMLA Leave

Littler Insight

August 4, 2020

FFCRA Documentation Requirement Rule Struck Down

SHRM Online

August 3, 2020

FMLA FAQ: If an Employer Places an Employee on Leave When He Can't Wear a Face Covering, Is the Absence Covered by the FMLA?

LexBlog

July 30, 2020

DOL: Manufacturer failed to post FFCRA notice, denied leave for school closure

HR Dive

July 30, 2020

What's new in the DOL's updated FMLA forms?

BenefitsPRO

July 23, 2020

Leave extension requests aren't necessarily unreasonable, 9th Cir. Says

HR Dive

June 25, 2020

Cancelled Summer Camp Programs Raise FFCRA Leave Issues

SHRM Online

May 27, 2020

Coronavirus: Can I refuse to have my temperature taken before work?

Diaro As

May 27, 2020

A Guide to Employee Temperature Checks

Security Management

May 19, 2020

A Guide to Employee Temperature Checks

SHRM Online

April 30, 2020

DOL Issues Regulations Implementing the New Emergency Paid Sick and Paid FMLA Law

LexBlog

April 3, 2020

After Slight Reprieve, DOL Releases Additional Batch of FFCRA Q&As

Littler ASAP

April 3, 2020

DOL Releases Regulations Implementing the Families First Coronavirus Response Act

Littler Insight

April 2, 2020

DOL Releases FFCRA Regulations

SHRM Online

April 1, 2020

DOL Publishes Third Round of FAQs on Paid Leave Law: Agency Covers Total Leave Entitlement, Return to Work, Help for Small Employers, Excludes Health Care Providers

LexBlog

March 29, 2020

DOL Issues Third Batch of Families First Coronavirus Response Act Q&As and Revises Prior Guidance

Littler ASAP

March 29, 2020

Second Set of DOL FAQs Provide More Clarity on Upcoming Federal Paid Sick and Family Leave Obligations

Littler ASAP

March 27, 2020

IRS and DOL Unveil Employer Tax Credits for Coronavirus-Related Leaves

SHRM Online

March 27, 2020

DOL Publishes Initial Guidance on How to Implement Emergency Paid Sick and Paid FMLA Leave

LexBlog

March 25, 2020

IRS promises full, immediate reimbursement for coronavirus leave

HR Dive

March 25, 2020

DOL Releases Q&A Guidance on Families First Coronavirus Response Act

Littler ASAP

March 24, 2020

5 things to know about the new coronavirus paid leave law

HR Dive

March 23, 2020

U.S. House Amends Emergency FMLA and Paid Sick Leave Legislation as Part of COVID-19 Response

LexBlog

March 17, 2020

Coronavirus Aid Bill Provides Scant Coverage for Gig Workers

Bloomberg Law

March 16, 2020

Employers Must Balance Risk, Compliance as Coronavirus Spreads

Bloomberg Law

March 3, 2020

Want to Stay on the Cutting Edge of the FMLA and ADA? Here Are My Top Three Resources for Employers

LexBlog

March 2, 2020

How to Stop FMLA Abuse

SHRM Online

February 12, 2020

Latest Set of DOL Opinion Letters Clarify FLSA Salary Basis and Overtime Calculations, FMLA Eligibility Determinations for Public Agencies

Littler Insight

January 8, 2020

Handling Employees Who Quit—Then Change Their Minds

SHRM Online

December 3, 2019

DOL Speeds Up Plans to Seek Comments on Improving the FMLA

SHRM Online

November 21, 2019

Worker alleges Taco Bell fired him for refusing to lie his way out of jury duty

HR Dive

October 4, 2019

Can a Worker Use FMLA Leave to Care for Kids While Her Husband Is in Rehab?

SHRM Online

October 1, 2019

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

Littler Press Release

August 15, 2019

3 Tips to Survive a DOL Audit of Your FMLA Process

SHRM Online

August 9, 2019

Parents May Take FMLA Leave for Special Education Meetings

SHRM Online

August 8, 2019

Chicago police communications operators used FMLA for 'booze cruise'

HR Dive

August 6, 2019

Viewpoint: Employees Busted Taking FMLA Leave for a Caribbean 'Booze' Cruise

SHRM Online

July 23, 2019

Viewpoint: Court Puts Kibosh on Policy Requiring Two Calls to Request FMLA Leave

SHRM Online

July 11, 2019

'I'm not out here': Facebook fishing trip video dooms worker's FMLA claim

HR Dive

June 25, 2019

JPMorgan Chase Settles Paternity Leave Suit for \$5 Million

SHRM Online

June 3, 2019

Documentation of employee's poor performance defeats FMLA interference claim

HR Dive

May 31, 2019

Survey: Employers struggle with leave, marijuana, ban-the-box laws

HR Dive

May 10, 2019

Viewpoint: Accommodating Employees with a Terminal Illness

SHRM Online

May 6, 2019

Littler Ranked in 2019 Chambers USA Guide

Littler Press Release

April 25, 2019

'Honest Belief' Gives Employers Powerful Tool Against FMLA Abuse

Bloomberg Law

March 26, 2019

DOL: Employees can't opt out of FMLA protection

HR Dive

March 18, 2019

Keys to FMLA, ADA Compliance for Mental Health Are Communication, Flexibility

SHRM Online

March 15, 2019

FMLA Leave Headlines New DOL Opinion Letters

Law360

March 15, 2019

4th Cir.: Depression disclosure was enough to put employer on FMLA notice

HR Dive

February 28, 2019

Littler Expands Chicago Office with Four New Shareholders

Littler Press Release

January 24, 2019

Speaking Engagements

Top 10 FMLA Compliance Issues You Should Be Thinking About Right Now

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

ADA Master Class

March 5, 2024

Pregnancy Accommodations: Navigating Difficult, Yet Common Scenarios to Keep Employers Compliant

December 13, 2023

Navigating Illinois' Paid Leave for All Workers Act: What Employers Need to Know

October 3, 2023

From the "Judge's" Bench: A Report Card on 2022-2023 FMLA/ADA Developments

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

FMLA Master Class: Gaining Critical Knowledge and Skills to Administer FMLA Leave

February 7, 2023

Employee Fitness for Duty Exams: Navigating the FMLA and ADA Traps to Keep Employers Compliant

December 14, 2022

Mastering the FMLA: Gaining Critical Knowledge and Skills to Administer FMLA Leave

March 8, 2022

Managing Remote Work Requests During (and After) the Pandemic

December 8, 2021

Navigating Difficult FMLA and ADA Issues in the Middle of a Pandemic - Second Session

June 22, 2021

Navigating Difficult FMLA and ADA Issues in the Middle of a Pandemic

March 16, 2021

Navigating Difficult FMLA and ADA Issues in the Middle of a Pandemic

December 9, 2020

Practical Issues for Employers in Navigating the New Federal Emergency Paid FMLA and Sick Leave Mandates

March 24, 2020

Stop the Madness! Effective Ways to Protect Your Organization Against FMLA Abuse

December 11, 2019

Happy Paper Trails: Creating Effective FMLA and ADA Policies, Templates and Practices that Won't Go Off the (Legal) Rails

Florida Regional Employer Conference, Miami, FL

October 24, 2019

Complex FMLA Issues

NELI's ADA & FMLA Compliance Seminar, Chicago, IL

April 2019

Managing Sick Leave Laws

ABA Annual Labor & Employment Conference, San Francisco, CA

November 2018

I Thought We Were Supposed to be Flexible? ADA Cases Post-Severson

2018 Disability Management Employer Coalition (DMEC) Annual Conference, Austin, TX

August 2018

Six Ways Your Managers Are Causing FMLA & ADA Leave Lawsuits, and How to Train Them to Stop

SHRM Annual Conference, Chicago, IL

June 2018

FMLA and ADA Case Law Update

2018 Disability Management Employer Coalition (DMEC) Compliance Conference, Pittsburgh, PA
May 2018

FMLA Update

NELI's ADA & FMLA Compliance Seminar, Chicago, IL
April 2018

Practical Parental Leave Considerations in the Trump Era

2017 Disability Management Employer Coalition (DMEC) Annual Conference, Anaheim, CA
August 2017

Analysis of EEOC's Technical Document on Leave as a Reasonable Accommodation

Webinar conducted by EEOC Commissioner Chai Feldblum
June 2016

Complex FMLA Issues

NELI's ADA & FMLA Compliance Seminar, Chicago, IL
April 23, 2016

Employment Law Update

NELI's Employment Law Conference, Chicago, IL
May 20, 2015

Pregnancy Accommodation: Overview and Analysis of EEOC's Guidance

2015 Disability Management Employer Coalition (DMEC) Compliance Conference, Washington, D.C.
April 20-23, 2015

Why Do Employees Sue Their Employers in FMLA Lawsuits?

2016 Disability Management Employer Coalition (DMEC) Compliance Conference, Pittsburgh, PA
April 15-17, 2015