

Noah G. Lipschultz

Shareholder

1300 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
main: (612) 630-1000
direct: (612) 313-7629
fax: (612) 630-9626
nlipschultz@littler.com



Focus Areas

Labor Management Relations
Discrimination and Harassment
ERISA and Benefit Plan Litigation

Overview

Noah G. Lipschultz focuses on representing employers in a variety of labor and employment matters, including both traditional labor law matters, as well as employment litigation and counseling, and wage/hour matters. He also represents employers in employee benefits litigation matters arising under the Employee Retirement Income Security Act, including matters pertaining to retiree health benefits and the enforcement of ERISA plan subrogation/reimbursement rights, and has litigated such matters in multiple courts of appeal and the U.S. Supreme Court.

Noah regularly counsels and defends management in traditional labor law matters, including:

- Grievance and arbitration proceedings
- Matters arising under the NLRA
- Collective bargaining negotiations and related advice
- Litigation concerning disputes over obligations under collective bargaining agreements
- Numerous union organizing campaigns and NLRB elections, including several of the largest that have occurred in the U.S. in the past decade

Noah also appears regularly before state and federal courts and state and local agencies. In addition to having extensive experience in Equal Employment Opportunity Commission and National Labor Relations Board matters, he regularly defends employers in matters arising under:

- Title VII of the Civil Rights Act of 1964
- The Age Discrimination in Employment Act

- The National Labor Relations Act
- The Labor Management Relations Act
- The Employee Retirement Income Security Act
- The Fair Labor Standards Act
- State antidiscrimination laws

Professional and Community Affiliations

- Member, Minnesota State Bar Association
- Member, Illinois State Bar Association
- Member, American Bar Association

Recognition

- Named, The Best Lawyers in America®, 2020-2022

Education

J.D., University of Chicago Law School, 2001

B.A., University of Wisconsin, Madison, 1998, *With Distinction*

Bar Admissions

Minnesota

Illinois

Courts

U.S. Supreme Court

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. Court of Appeals, District of Columbia

U.S. District Court, District of Minnesota

U.S. District Court, Northern District of Illinois

U.S. District Court, Western District of Michigan

U.S. District Court, Eastern District of Michigan

U.S. District Court, Western District of Wisconsin

Languages

Spanish

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 of Law: Watching SCOTUS: What's In the Wings? | CBS Hires Covington, Debevoise | Plus: Our L&E Water Cooler Roundup

Law.com

August 2, 2018

NLRB Paves the Way for Bargaining Units Composed of Employees of Two Different Employers

Littler Insight

July 13, 2016

Supreme Court Limits ERISA Plans' Reimbursement Rights

Littler Insight

January 22, 2016

Board Overrules Longstanding Protections Against Disclosure of Witness Statements

Littler Insight

July 9, 2015

NLRB says workers can use company email to organize

Thomson Reuters Westlaw Journal – Employment

January 21, 2015

NLRB Ruling Gives Unions Advantage in E-Mail Organizing

National Legal and Policy Center

December 19, 2014

NLRB Creates Right to Use Corporate E-Mail to Organize and to Complain About Work: Ten Key Implications for Employers

Littler Insight

December 15, 2014

Board Holds off on Major E-mail Use Pronouncement . . . For Now

Littler ASAP

October 6, 2014

Second Circuit Upholds Plan's Right to Reimbursement

Littler ASAP

April 16, 2013

Board Finds Employer's "Overbroad" Off-Duty Access Provisions Violate NLRA

Littler ASAP

November 1, 2012

Auto Dealership Lawfully Fired Employee for Facebook Posts, but Maintained Unlawful "Courtesy" Rule, Board Rules

Littler ASAP

October 31, 2012

U.S. Supreme Court Agrees to Resolve Circuit Split Over ERISA Plan Reimbursement Rights

Littler ASAP

July 9, 2012

Appellate Court Credits Employer's Challenge of Mock Card Check Ceremony During Union Campaign

Littler ASAP

May 30, 2012

Must a Participant Be "Made Whole" Before a Plan May Exercise Its Right to Reimbursement?

Littler ASAP

February 29, 2012

Fifth Circuit Affirms NLRB Holding that Investment Manager and Resort Were Joint Employers

Littler ASAP

November 3, 2011

Board Revisits Register Guard E-Mail Case

Littler ASAP

August 19, 2011

NLRB Upholds Inflatable Rat Display at Secondary Employer Site

Littler ASAP

June 6, 2011

NLRB to Consider Change to Union Information Requests Related to Relocations

Littler ASAP

May 25, 2011

Court Finds No Waiver of Right to Litigate in General CBA Clause

Littler ASAP

March 31, 2011

Judge Invalidates Milwaukee Paid Sick Leave Ordinance

Littler Insight

June 18, 2009

Littler Mendelson Announces Twenty-Seven Newly Elevated Shareholders

Littler Press Release

January 8, 2009

Milwaukee Becomes Third City to Mandate Paid Sick Leave for Employees

Littler Insight

November 14, 2008

The Employee Free Choice Act: A Critical Analysis

Littler Report

July 24, 2008

NLRB Modifies "Recognition Bar" Doctrine to Permit Employees and Rival Unions to File Election Petitions

Littler Insight

October 8, 2007

Speaking Engagements

2021 Upper Midwest Virtual Regional Employer Conference

Minneapolis, MN

October 20, 2021

Labor Law in the Pandemic Age: Navigating Union-Related Issues During These Unprecedented Times

June 30, 2020

The NLRB's Redefinition of Joint Employment: A Dangerous Twist in Many Common Business Relationships

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 5, 2016

2012 Midwest Employer Conference

Minneapolis, MN

October 11, 2012

The Obama Administration's Impact On Labor Law And In The Workplace

Littler Mendelson, Minneapolis, MN

October 11, 2012

Books & Book Chapters

- Conducting the Employment Practices Audit, *Illinois Institute of Continuing Legal Education (IICLE)*, Chapter Author, 2004
- The Developing Labor Law: The Board, the Courts, and the National Labor Relations Act, *Bloomberg BNA*, Contributing Editor, 2004-2010
- Labor and Employment Issues in Transactions, Business Restructuring, and Workforce Reductions, *Illinois Institute of Continuing Legal Education (IICLE)*, Chapter Author, 2005, 2008 and 2011