



## Russell J. McEwan

Shareholder

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## Focus Areas

Labor Management Relations  
Construction  
Emerging Companies and Venture Capital  
Littler X-celerator Toolkits

## Overview

Russell J. McEwan combines real world business experience, legal acumen and pragmatism to effectively manage labor and employment law issues faced by clients in a wide variety of industries, including the construction, manufacturing, retail, service, and transportation industries. His practice entails representation of clients in federal and state court litigation, before labor arbitrators, at the bargaining table, and before regulatory agencies such as the National Labor Relations Board, the Equal Employment Opportunity Commission, the Occupational Safety and Health Administration, the U. S. Department of Labor, and numerous state departments of labor.

Russ proactively counsels employers on strategies to promote workplace harmony, strengthen the employment relationship, and minimize the risk of litigation. He assists clients in developing training tools, crafting effective employment agreements and policies, and training supervisory employees on a wide variety of workplace issues.

Russ has extensive experience helping clients during times of labor strife. He has advised clients on issues related to union organizing drives and representation petitions involving virtually all of the major U. S. labor unions. He has guided employers through:

- Reductions-in-force and shutdowns
- Large-scale business contingency planning related to threatened labor disputes
- Temporary restraining order actions related to strikes and mass picketing

During the course of his legal career, Russ has developed a depth of knowledge in representing construction industry employers in matters involving:

- Negotiation and administration of pre-hire collective bargaining agreements and project labor agreements
- Prevailing wage compliance
- Union benefit fund audits
- Arbitration and litigation
- Corporate campaign preparedness
- A multitude of issues related to government contracting

Before embarking on his legal career, Russ was a business banker for a leading New York City commercial bank and worked in the general counsel's office of a major accounting firm.

## Professional and Community Affiliations

- Member, New Jersey State Bar Association
- Member, Labor and Employment Law Committee, Monmouth Bar Association

## Recognition

- Named, The Best Lawyers in America<sup>®\*</sup>, 2013-2024

\* For information about the standards for inclusion in Best Lawyers in America, please see <https://www.bestlawyers.com/about/MethodologyBasic.aspx>.

## Education

J.D., New York Law School, 1995, *cum laude*

B.A., Rutgers, The State University of New Jersey, 1987

## Bar Admissions

New Jersey

New York

## Courts

U.S. Supreme Court

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, District of Columbia

## **Publications & Press**

### **New Jersey DOL Launches Strategic Enforcement Initiative Targeting Residential Construction & Commercial Laundromats**

*Littler ASAP*

December 14, 2022

### **New Jersey Law Allows Labor Commissioner to Audit Federally Regulated Apprenticeship Programs and Strip Affected Contractors of the Right to Perform Public Work**

*Littler ASAP*

January 18, 2022

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

*Littler Press Release*

August 19, 2021

### **Tightening the Vise: N.J. Further Expands Power to Thwart Employee Misclassification**

*Littler Insight*

July 12, 2021

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

*Littler Press Release*

August 20, 2020

### **COVID-19 and the Construction Industry: Tips for Employers**

*Littler Podcast*

March 17, 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

### **Immigration Enforcement and I-9 Audits Skyrocket, Affecting the Construction Industry**

*Littler Podcast*

April 16, 2019

### **New Jersey Employers Should Expect Minimum Wage Hike to \$15 Per Hour**

*Littler ASAP*

January 28, 2019

**NJ Apprenticeship Rule May Be Heavy Lift For Contractors**

*Law360*

January 16, 2019

**Bill Would Impose Significant Apprenticeship Requirements on New Jersey Contractors**

*Littler ASAP*

January 7, 2019

**No Dire Straits for Workers Involved in Labor Disputes in N.J. as Governor Expands Eligibility for Unemployment Benefits**

*Littler ASAP*

August 16, 2018

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 15, 2018

**Spotlight on Positive Employee Relations Training: How Employers Can Reap the Benefits of Employee Engagement**

*Littler Podcast*

August 9, 2018

**Building Better Workers: How Apprenticeship Programs Can Benefit the Construction Industry**

*Littler Podcast*

June 5, 2018

**New Jersey Governor to Sign Statewide Paid Sick and Safe Leave Bill**

*Littler Insight*

April 27, 2018

**Contractors: An Ounce of Wage and Hour Prevention Is Worth a Pound of Cure**

*Construction Executive*

September 26, 2017

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 17, 2017

**Managing Risk: Keep a Target Off Your Back While Constructing Your Business**

*Workforce*

May 1, 2017

**Construction Contractors Seeking Workers. Bring Your HR 'A-Game'**

*Bloomberg BNA Construction Labor Report*

March 23, 2017

**Littler Launches Construction Industry Toolkit**

*Littler Press Release*

March 15, 2017

**Littler Appoints Co-Office Managing Shareholders in Newark**

*Littler Press Release*

February 16, 2017

**Court Upholds Open Shop in Jersey City Labor Pact Challenge**

*Engineering News-Record*

October 5, 2016

**What the Jersey City PLA Ruling Means for Union Labor in Construction**

*Construction Dive*

September 27, 2016

**The Best Lawyers in America® Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Littler Press Release*

August 16, 2016

**Joint Employers Rule Delivers One-Two Punch to Contractors**

*Constructor Magazine*

July 1, 2016

**NLRB Ruling Creates New Punch List for General Contractors**

*Constructor Magazine*

April 29, 2016

**Labor Law Gone Wild: NLRB's Joint-Employer Decision May Help Unions and Hurt Business**

*Westlaw Employment*

November 10, 2015

**Littler Attorneys Recognized in the Best Lawyers in America® 2016 Edition**

*Littler Press Release*

August 18, 2015

**Littler Attorneys Included in the Best Lawyers in America© 2015 Edition**

*Littler Press Release*

August 18, 2014

**Littler Attorneys Named in Best Lawyers in America® 2014 Edition**

*Littler Press Release*

August 15, 2013

**Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition**

*Littler Press Release*

September 7, 2012

**A Banner Day for Union Boycotts**

*Littler Insight*

September 17, 2010

**Paid to Picket? N.J. Supreme Court Rules Strikers May Be Eligible for Unemployment Benefits**

*Littler Insight*

February 12, 2009

## **Speaking Engagements**

**Understanding the Interplay Between Union Organizing and Social Justice in Today's Workplace**

February 15, 2023

**A Practical Primer on Inclusion, Equity & Diversity Programs**

Littler Executive Employer Conference

May 4, 2022

**Weathering the Great Resignation: Strategies for Employee Engagement and Retention**

Monmouth Bar Association CLE

March 25, 2022

**Project Labor Agreement Webinar**

The Associated Builders and Contractors New Jersey Chapter and the African American Chamber of Commerce

June 23, 2021

**Current Labor and Employment Law Issues Impacting Your Contracting Business**

Newark, NJ

March 29, 2021

**Labor Law Changes Under the Biden Administration**

Monmouth Bar Association CLE

February 26, 2021

**Decision 2020: What's at Stake for Employers in the Upcoming General Election**

October 30, 2020

**Prepare for Liftoff: Minimizing Employee Relations Risks as Construction Sites Rebound from the Pandemic Shutdown**

May 14, 2020

**Apprenticeship and Prevailing Wage Update for New Jersey Public Works Contractors**

Delta Hotels by Marriott Woodbridge 515 US Highway 1 South Iselin, NJ 08830

November 7, 2019

**Navigating New Jersey's Aggressive New Wage Theft Law**

October 14, 2019

**Navigating New Jersey's Aggressive New Wage Theft Law**

CLE Presentation

October 14, 2019

**Apprenticeship 101 for New Jersey Public Works Contractors**

Newark, NJ

June 27, 2019

**Lawful Hiring and Firing**

ABC Professional Services Committee Webinar

May 30, 2019

**Traditional Labor Law Symposium: What Union and Nonunion Employers Need to Know About Today's Unions and Employer Obligations Under the NLRA**

2019 Executive Employer Conference

May 10, 2019

**Apprenticeship 101 for New Jersey Public Works Contractors**

Hilton East Brunswick Hotel & Executive Meeting Center 3 Tower Center Boulevard East Brunswick, NJ 08816

April 11, 2019

**Can An Apprenticeship Program Help My Contracting Business? The Ins and Outs of Building and Operating a Program in New Jersey**

December 18, 2018

**New Jersey's Earned Sick Leave Law Update: The Proposed Regulations are Out**

October 19, 2018

**New Jersey's Paid Sick and Safe Leave Law Goes Into Effect on October 29, 2018**

August 29, 2018

**Double Breasting in the Construction Industry**

NJ State Bar Association CLE

April 10, 2018

**Labor Law Issues Affecting Public Works Contractors**

Newark, NJ

March 20, 2018

**Detecting and Mitigating Common Construction Industry Fraud and Legal Risks**

NJ Society of CPAs, Neptune, NJ

December 7, 2017

**How to Lawfully Detect and Respond to Union Organizing in the Workplace**

ABC Excellence in Construction Symposium, Atlantic City, NJ

November 30, 2017

**2017 Hot Topics in Employment & Labor Law**

Newark, NJ

May 2, 2017

**Employer Election Alert! Trump Presidency and Its Impact on Employment Laws and Regulations**

Center for Competitive Management webinar

December 7, 2016

**What's in Store for Employers Now That the Election is Behind Us?**

Newark, NJ

November 17, 2016

**The 2016 Election: A Labor & Employment Update**

Monmouth County Bar Association

October 26, 2016

**Educational Roundtable on Union/Non-Union Construction Activity in the NYC Marketplace**

NYC CFMA

April 26, 2016



**NYC Construction Outlook 2015-2017**

NYC Surety Association

February 3, 2016

**Workforce 2016: How to Energize Your Employees, Reduce Your Legal Exposure and Boost Your Business**

Newark, NJ

January 21, 2016

**2015 Tri-State Employer Conference**

New York, NY

November 5, 2015

**While You Were Busy Building: The Most Significant Labor Law Developments of 2015**

Newark, NJ

October 20, 2015

**There's Something Happening Here (What it is ain't exactly clear)**

Fairport, NY

June 16, 2015

**Practical Tips for Managing the Obama Administration's Labor Agenda**

Littler Mendelson, Phoenix, AZ

May 9, 2014

**Important Issues for Construction Employers**

Littler Mendelson, Phoenix, AZ

May 7, 2014

**5 Steps for Building Defensible Macro-Bargaining Units**

Associated Builders & Contractors, New Jersey Chapter

March 12, 2014

**Double Breasting in the Construction Industry**

Construction Financial Management Association, New Jersey and New York Chapters, Secaucus, NJ

October 22, 2013

**Understanding and Responding to the U.S. DOL's Investigation Initiative Targeting the Construction Industry**

February 7, 2012

**New Workday**

New Jersey Society of Certified Public Accountants  
September 2011

**Doublebreasting in the Construction Industry**

Pennsylvania Bar Institute  
April 12, 2011

**Protecting What You've Built**

Littler Mendelson, Newark, NJ  
March 2011

**Prevailing Wage Fundamentals**

New Jersey Electronic Security Association  
May 2010

**Back to Work! Practical Tips for Managing Employee Leaves of Absence**

American Society of Safety Engineers  
November 2009

**Understanding and Complying with New Jersey Prevailing Wage Laws: Update 2008**

Newark, NJ  
April 18, 2008

**2008 Construction Industry Primer - Overcoming Barriers to Success in the Coming Year**

Newark, NJ  
December 6, 2007

**Employment Law Essentials for the Construction Industry**

Newark, NJ  
January 18, 2007