Arthur T. Carter

Shareholder
Co-Chair, Business Restructuring Practice Group

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Practice Areas

Labor Management Relations
Business Restructuring and M&A
Whistleblowing, Compliance and Investigations
Arbitration

Overview

Arthur (Art) T. Carter is board certified in labor and employment law by the Texas Board of Legal Specialization. He advises employers on the labor law aspects of mergers, acquisitions, asset and stock sales, business reorganizations, consolidations, shutdowns, and bankruptcy. He also counsels employers on strategic considerations relating to collective bargaining and labor relations and regularly serves as principal spokesman for management in labor contract negotiations.

Art has extensive experience in labor arbitration, litigation of whistleblower complaints under the health, safety and environmental laws administered under Occupational Safety and Health Administration (OSHA) and cases involving breach of employment contract, employment-related torts and restrictive covenants.

Art has represented employers in numerous federal and state courts and before the National Labor Relations Board (NLRB) and its regional offices throughout the country and other administrative agencies such as the U. S. Department of Labor (DOL), the Equal Employment Opportunity Commission (EEOC), and OSHA. He has taken part in bankruptcy court proceedings concerning labor law issues such as Worker Adjustment and Retraining Notification Act (WARN) and the applicability of sections 1113 and 1114. His experience includes:

- Labor contract negotiations for employers in Alabama, Arizona, Arkansas, California, Georgia, Illinois, Indiana, Kentucky, Maryland, Missouri, New Jersey, Ohio Pennsylvania, South Carolina, Tennessee, Texas, Virginia and Washington with various unions including CWA, UAW, USW, IBT, and IUOE.

- Defense of employers in NLRB unfair labor practice proceedings, related subpoena enforcement litigation, and pre-election hearings involving bargaining unit issues.
- Labor arbitrations for employers involving safety rules, seniority, skill and ability layoffs, drug testing, subcontracting, contract interpretation, jurisdictional disputes, return to work requirements, modification of health insurance plans, setting of rates for newly created jobs, setting of incentive rates, discharge, and final offer arbitration (baseball arbitration) over wages and benefit levels.
- Advice and counsel to private equity fund and other corporate buyers concerning labor law aspects of stock and asset transactions, due diligence requirements, assessment of collective bargaining agreements, benefit plans, feasibility of asset purchase exception to withdrawal under multi-employer pension plan, and unlawfulness and practicality of pre-sale collective bargaining.
- Advice, counsel and necessary drafting concerning shutdown, curtailment of operations, transfer of work, and WARN compliance.
- Advice and counsel to unionized employers concerning soft or hard pension freezes, retiree health insurance, and bargaining and contractual duties concerning same.
- Defense of employers under DOL procedures concerning alleged retaliation against health, safety, and environmental whistleblowers.

In addition to his legal practice, Art writes and lectures on labor and employment issues facing employers. He previously was an adjunct professor at Southern Methodist University's Dedman School of Law, where he taught labor law and labor and employment arbitration. During law school, he was lead articles editor for the *South Dakota Law Review*.

Professional and Community Affiliations

- Member, Committee on the Development of the Law Under the National Labor Relations Act, Section of Labor and Employment Law, American Bar Association
- Member, Committee on ADR in Labor and Employment Law, Section of Labor and Employment Law, American Bar Association
- Member, Committee on Employment and Labor Relations Law, Section of Litigation, American Bar Association
- Conference Co-Chair, Annual Course on Labor Law and Labor Arbitration, The Center for American and International Law, 2010-2012

Recognition

- Named, Lawyer of the Year, *The Best Lawyers in America*®, 2012, 2026
- Fellow, *The College of Labor and Employment Lawyers*
- Named, The Best Lawyers in America® , 2012-2027
- Ranked, Labor & Employment, *Chambers USA*, 2007-2026
- Named, Super Lawyer in Employment and Labor, Texas, *Super Lawyers*, 2009-2020
- Awarded, AV® Peer Review Rating, *Martindale-Hubbell*

Education

J.D., University of South Dakota, 1976
B.A., University of Minnesota, 1973

Bar Admissions

Texas
South Dakota
Arizona

Courts

U.S. Supreme Court
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, 9th Circuit
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, D.C. Circuit
U.S. District Court, Northern District of Texas
U.S. District Court, Eastern District of Texas
U.S. District Court, Western District of Texas
U.S. District Court, Southern District of Texas

Publications & Press

Littler and Its Attorneys Recognized in 2026 Chambers USA Guide Across Key Practice Areas
Press Release
June 4, 2026

Sixth Circuit Points Out Limits of NLRB Adjudicatory Rulemaking
Littler ASAP
April 15, 2026

Over 250 Littler Attorneys Selected for 2026 Editions of Best Lawyers in America® and Best Lawyers: Ones To Watch® in America
Press Release
August 21, 2025

Littler and its Attorneys Recognized in 2025 Chambers USA Guide Across Key Practice Areas
Press Release
June 5, 2025

Littler Ranked in 2024 Chambers USA Guide
Press Release
June 6, 2024

Littler Recognized in 2023 Chambers USA Guide
Press Release
June 6, 2023

Littler Ranked in Chambers USA Guide 2022
Press Release
June 1, 2022

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers
Press Release
August 19, 2021

Littler Ranked in Chambers USA Guide 2021
Press Release
May 27, 2021

Dear Littler: What Do We Do If We Cannot Bring Our Employees Back From Furlough?
Dear Littler
September 4, 2020

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers
Press Release
August 20, 2020

Employers' Duty to Bargain Over Union COVID-19 Proposals During the Term of a Collective Bargaining Agreement
Littler ASAP
May 4, 2020

NLRB Joint-Employer Rule Restores "Substantial Direct and Immediate Control" Test
Littler ASAP
February 25, 2020

Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year
Press Release
August 15, 2019

Littler Ranked in 2019 Chambers USA Guide
Press Release
April 25, 2019

Three Emerging Labor and Employment Risks in M&A Transactions
Texas Lawyer

April 8, 2019

Arthur Carter Named Co-Chair of Littler's Business Restructuring and M&A Practice Group
Press Release
August 29, 2018

Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers
Press Release
August 15, 2018

Littler Ranked in 2018 Chambers USA Guide
Press Release
May 15, 2018

Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers
Press Release
August 17, 2017

Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide
Press Release
May 26, 2017

The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition
Press Release
August 16, 2016

Chambers USA Recognizes Littler and Attorneys in 2016 Guide
Press Release
May 27, 2016

Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition
Press Release
August 18, 2015

Chambers USA Recognizes Littler and Its Attorneys
Press Release
May 20, 2015

The Principal Differences Between Labor and Employment Arbitration
The Advocate: Texas State Bar Litigation Section Report, Vol. 69
January 2015

Littler Expands Dallas Office with the Addition of Prominent L&E Attorney Arthur T. Carter
Press Release
June 16, 2014

NLRB Roundup
Employee Relations Law Journal, Vol. 39, No. 1
Summer 2013

NLRB Developments: New Election Rules, Class Action Waivers and (Maybe?) Recess Appointments
Employee Relations Law Journal, Vol. 38, No. 1
Summer 2012

Events & Speaking Engagements

Digging In - A Practical Guide to L&E Diligence in M&A
April 28, 2026

Setting the Stage: Deal Structures and Early Labor & Employment Considerations
March 10, 2026

Maximizing Revenue/Minimizing Risk: A Private Equity Guide to Portfolio Management
March 26, 2025

2024 Dallas Regional Employer Conference
Dallas, TX
August 1, 2024

Lions, Tigers, and Strikes: The New Collective Bargaining
Littler Executive Employer Conference, Phoenix, AZ
May 8, 2024

Affiliated Company Liability: The Expanding Definition of "Employer" and the Increasing Disregard of Corporate Separateness
May 11, 2017

Independent Contractor: Joint Employment & The Gig Economy Under the NLRA
CAIL 55th Annual Course on Labor Law and Labor Arbitration, Plano, TX
April 13, 2017

Affiliated Company Liability: The Expanding Definition of "Employer" and the Increasing Disregard of Corporate Separateness in the Labor and Employment Law Setting
2016 ACC Annual Meeting
October 18, 2016

Joint-Employer Status Under The NLRA and Other Statutes
54th Annual Course on Labor Law and Labor Arbitration, The Center for American and International Law, Plano, TX
May 9-12, 2016

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

Private Equity and Corporate Transactions: A Candid Discussion About Risk, Strategic Advantage and Successful Business Integration
Dallas, TX
April 20, 2015

NLRA 101
1A Faculty Athletics Representatives (1A FAR), Grapevine, TX
September 21, 2014

The 2014 Houston Employer Conference
Houston, TX
August 14, 2014

Strikes and Lockouts
52nd Annual Course on Labor Law and Labor Arbitration – The Center for American and International Law, Plano, TX
May 7, 2014

Economic Pressure
51st Annual Course on Labor Law and Labor Arbitration – The Center for American and International Law, Plano, TX
May 7, 2013

Employment and Labor Arbitration: Comparison, Contrast and Overlap
50th Annual Course on Labor Law and Labor Arbitration – The Center for American and International Law, Plano, TX
May 3, 2012

Using the Grievance and Arbitration Process to Resolve Statutory Claims
National Academy of Arbitrators, Southwest Region
March 2011

Books & Book Chapters

- Collier Guide to Chapter 11: Key Topics and Selected Industries, *Labor and Employment Issues*, Co-Authors: A. N. Resnick and H. J. Sommer Eds., 2013
- Educating and Updating Clients on Recent Trends and Developments in the Employment Law Arena, *Inside the Minds: The Impact of Recent Regulatory Developments in Employment Law,* Thomson Reuters/Aspatore, co-author, 2012

- *Elkouri and Elkouri: How Arbitration Works*, 2008 Supplement, 3rd - 6th Eds., Bloomberg BNA, contributing author
- *Littler On Bankruptcy & Employment Law Issues*, Littler National Employer Library