James B. Thelen

Shareholder

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Practice Areas

Higher Education
Labor Management Relations
Business Restructuring and M&A
Investigations
HR Advice and Counsel

Overview

James B. Thelen is a seasoned labor and employment lawyer who has worked both in private practice and as general counsel or chief legal officer at public and private higher education institutions. He is an experienced legal and executive strategist who helps large public and private institutions understand how labor and employment practices and legal risk impact long-term institutional strategy and performance.

Before joining Littler in April 2023, Jim was a higher education consultant and also general counsel and chief legal officer for seven years at the University of Maine System, a statewide system of seven public universities, where he also served as Vice Chancellor for Strategic Initiatives and Chief of Staff. Jim also served as Associate Dean for Legal Affairs and General Counsel for four years at Thomas M. Cooley Law School, a private nonprofit law school in Michigan. Earlier in his career he worked as an assistant general counsel and lobbyist for Western Michigan University, a regional public university in the Midwest. His higher ed legal and executive experience includes overseeing and advising on HR and labor relations, executive employment performance management, strategic risk management, and litigation defense.

Jim provides legal advice and counsel and represents higher education institutions and other entities in state and federal labor relations matters and administrative hearings; union campaigns and representation, collective bargaining, grievance administration and arbitrations; labor and employment strategy and risk assessment; university partnerships, collaborations, mergers, reorganizations, and right-sizing; executive employment performance management; strategic and long-term planning;

and board governance matters.

Previously, Jim also worked in private practice at a large law firm in Michigan, providing advice and counsel to public and private entities, including a number of colleges and universities, on employment practices, labor relations, collective bargaining and union avoidance, litigation defense of employment claims, and general employment-related business practices and strategy.

Professional and Community Affiliations

- Member, NACUA Committee on Strategic Planning, 2018-2021
- Member, Society for Human Resource Management, 2005-2011
- Member, President 2009-2010, HR Management Association of Mid-Michigan, 2004-2011

Recognition

- Named, Best Lawyers, *Best Lawyers in America*, 2010-2011
- Named, Rising Star, Michigan, *Super Lawyers*, 2008
- Named, Up and Coming, America's Leading Business Lawyers, *Chambers USA*, 2006

Education

J.D., Tulane University Law School, 1995, *cum laude*
B.A., Western Michigan University, 1992, *magna cum laude*

Bar Admissions

Maine
Michigan
Vermont

Courts

U.S. Supreme Court
U.S. Court of Appeals, 6th Circuit
U.S. District Court, District of Maine
U.S. District Court, Eastern District of Michigan
U.S. District Court, Western District of Michigan

Publications & Press

U.S. Supreme Court to Decide Whether Educational Employees Can Sue Under Title IX
Littler ASAP
June 1, 2026

Title IX Preempts Public University Labor Contract Grievance Procedure, According to New Jersey Supreme Court
Littler ASAP
February 10, 2026

Littler Elevates More Than 30 Attorneys to Shareholder Status to Launch the New Year
Press Release
January 5, 2026

Presidential Order Aims to Bring Stability to Intercollegiate Sports
Littler ASAP
July 28, 2025

U.S. Department of Education's New "Dear Colleague" Letter Targets DEI Programs and Signals New Era of Title VI Enforcement
Littler ASAP
February 18, 2025

Higher Ed DEI Practices to Be Reviewed Under President's New Executive Order
Littler ASAP
January 24, 2025

What Should Educational Institutions Do Next for Title IX Now That Biden's Final Rule Was Blocked by a Federal Judge?
Littler ASAP
January 14, 2025

NLRB Reaffirms that Graduate Students Are Statutory Employees under NLRA
Littler ASAP
September 17, 2024

NLRB General Counsel Suggests How Colleges and Universities Can Satisfy NLRA Disclosure Obligations Without Violating FERPA
Littler ASAP
August 26, 2024

NLRB Regional Director Says Dartmouth Men's Basketball Players Are Employees, Can Vote in Union Election
Littler ASAP
February 7, 2024

The Summer's death knell for affirmative action has passed - Now what?
University Business
September 7, 2023

Labor Cost Pressures in Higher Ed Call for Proactive Labor Strategy
Littler ASAP
July 17, 2023

U.S. Supreme Court Strikes Down Race-Conscious Admissions – What Does it Mean for Employers?
Littler ASAP
June 30, 2023

Littler Welcomes Jim Thelen as Of Counsel in Portland
Press Release
May 24, 2023

U.S. Departments of Education and Justice Issue Dear Colleague Letter Regarding Digital Accessibility in Higher Education
Littler ASAP
May 23, 2023

NLRB General Counsel Files Complaint Demanding College Reclassify its Student-Athletes as Employees
Littler ASAP
May 22, 2023

A New Era of Union Activism in Higher Ed
Insidehighered.com Views
March 14, 2023

Rethinking Credit Hours and Degrees
Insidehighered.com Views
November 22, 2022

Events & Speaking Engagements

Labor Law Updates Every Healthcare Employer Needs to Know
April 16, 2026

Balancing Title IX Compliance with CBA Enforcement
April 8, 2026

Higher Ed's "Back to Campus" Fall 2025 Labor and Employment Legal Update
September 11, 2025

Higher Ed Management & Unions: Expansion at Private Colleges & Issues with GAs and Athletes
National Association of College and University Attorneys
June 26, 2024

Labor Unions and Campus Protests: A Moderated Legal Discussion
June 5, 2024

Higher Education Labor Organizing Update
April 18, 2024

Employment Law in Higher Education: Title IX, Professor/Student Interactions, Tenure, Application of Labor Laws
Strafford Webinar
May 16, 2023

The Digital-Led University: A Technology-Enabled Future for Higher Education
Co-Moderator, CGI Webinar
September 2022

Craft and Communicate an Effective Free Speech Policy: Preparing for the 2020 Election
Student Affairs Forum, Educational Advisory Board Webinar
February 2020

Management of a Small Office of General Counsel: Wearing Two Hats – Chief of Staff and General Counsel
General Counsel Institute, NACUA, New Orleans, LA
February 2019

Books & Book Chapters

- *Family & Medical Leave and the Law*, New York: ALM/Law Journal Press, 2012
- *Employment Law Handbook: Guide for Michigan Employers*, Lansing, MI: Michigan Chamber of Commerce, Editor, 2003-2011; Coeditor, 1996-2000