

John J. Balitis

Chair, Labor & Employment



Overview

Mr. Balitis counsels private sector clients as well as government agencies, including the Arizona legislature, on a broad range of employment law and labor relations matters.

Contact

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- Phoenix, AZ

Areas of Focus

- Employment and Labor Relations
- Business Litigation

- Construction
- Health Care Litigation and Regulation
- Mediation and Arbitration

Education

J.D., University of Virginia School of Law

B.A., Dickinson College

- *summa cum laude*

Biography

Mr. Balitis counsels private sector clients as well as government agencies, including the Arizona legislature, on a broad range of employment law and labor relations matters. Over his 30 years of practice, he has represented clients in administrative proceedings before the Equal Employment Opportunity Commission (EEOC), U.S. Department of Labor, National Labor Relations Board (NLRB), Arizona Civil Rights Division, Arizona Industrial Commission, Arizona Department of Occupational Safety and Health, and the Arizona Department of Economic Security. Recognizing that some issues need to be resolved at the legislative level, Mr. Balitis has participated in drafting and testifying on Arizona employment-related legislation.

In addition to the administrative and transactional aspects of his practice, Mr. Balitis litigates employment-related disputes in federal and state courts, where he has both bench and jury trial experience and has appeared and argued before the Arizona Court of Appeals. He has considerable experience prosecuting and defending employment claims in preliminary injunction proceedings and representing union employers in labor arbitrations involving disputes under collective bargaining agreements. Mr. Balitis also is experienced in training, investigating, writing, speaking, publishing, and interacting with the media on employment-related topics and developments.

Mr. Balitis also serves as an arbitrator and mediator for the American Arbitration Association. He participates in proceedings in these capacities in Arizona and other jurisdictions.

Admissions

Admitted to Practice

- Arizona
- Colorado

Court Admission

- U.S. District Court, District of Arizona
- U.S. Court of Appeals, Ninth Circuit

Representative Experience

- *Michael Barrett Conway v. Circle K Stores Inc.*, No. 1 CA-CV 17-0057 (Ariz. App. Feb. 01, 2018)
- *Mark F. Wynn v. Arizona Department of Economics*, No. 1 CA-UB 12-0372 (Ariz. App. Jan. 07, 2014)
- *Lennar Corp. v. Transamerica Ins. Co.*, No. 1 CA-CV 10-0141 (Ariz. App. April 14, 2011)
- *Lennar Corp. v. Auto-Owners Ins. Co.*, 214 Ariz. 255, 151 P.3d 538 (App. 2007)
- *Lopez v. Home Depot U.S.A.*, 85 Fair Empl.Prac.Cas. (BNA) 282 (D. Ariz. Feb. 05, 2001)
- *Arizona Retail Systems v. The Software Link*, 831 F. Supp. 759 (D. Ariz. 1993)
- *John C. Lincoln Hosp. v. Superior Court*, 159 Ariz. 456, 768 P.2d 188 (App. 1989)
- *Weller v. Blue Circle*, 176 Ariz. 220, 176 Ariz. 220, 860 P.2d 487 (Ariz. App. Div.1 1993)

Media and Presentations

Blogs

- Co-author, "[Supreme Court's LGBTQ Discrimination Decision Impacts Arizona Employers](#)," *Jennings Strouss Blog* (June 16, 2020)

Articles

- Quoted, "[Phoenix university files lawsuit against U.S. Department of Education](#)," *Phoenix Business Journal* (February 2, 2021)
- Quoted, "[Can COVID-19 vaccine be required for employees? What employers should know](#)," *AZ Big Media* (December 28, 2020)
- Quoted, "[Hazards of Home](#)," *AzBusiness Magazine* (November 2020)
- Author, "[Orthodontic Practices and COVID-19: Important considerations in reopening for services and returning employees to the workplace](#)," *Orthotown Magazine* (October 2020)
- Quoted, "[Are you entitled to paid time off to vote in person?](#)" *AZ Big Media* (October 27, 2020)
- Quoted, "[Need time off from work to vote in person? You could get paid for it](#)," *azcentral* (October 16, 2020)
- Author, "[Dental Practices and COVID-19: Important considerations in reopening for services and returning employees to the workplace](#)," *Dentaltown Magazine* (October 2020)
- Author, "[Valley attorney: How employees' rights to telecommute are impacted by new government guidelines](#)," *Phoenix Business Journal* (September 22, 2020)
- Quoted, "[Landsea Homes reverse merger to provide capital for Phoenix growth](#)," *Phoenix Business Journal* (September 16, 2020)
- Quoted, "[Recreational marijuana is on 2020 ballot. If it passes, here's what Arizona businesses can expect](#)," *Phoenix Business Journal* (August 24, 2020)
- Quoted, "[Maricopa County has highest rate of eviction filings in the nation](#)," *Phoenix Business Journal* (August 20, 2020)
- Quoted, "[Supreme Court allows tax increase proposal for education funding on November ballot](#),"

Phoenix Business Journal (August 19, 2020)

- Quoted, "[Apartment landlords challenge Ducey's eviction moratorium in court,](#)" *Phoenix Business Journal* (August 13, 2020)
- Author, "[What Happens If an Employee at Your Business Tests Positive for COVID-19?](#)" *Attorney At Law Magazine* (July 10, 2020)
- Author, "[Valley attorney: An employee at your business tested positive for Covid-19. Now what?](#)," *Phoenix Business Journal* (June 16, 2020)
- Quoted, "[Supreme Court decision means Arizona LGBTQ workers have protection from discrimination,](#)" *Phoenix Business Journal* (June 15, 2020)
- Quoted, "[Valley attorneys: Avoid these legal pitfalls when returning your employees to the workplace,](#)" *Phoenix Business Journal* (June 2, 2020)
- Quoted, "[As businesses reopen, employers face a legal minefield. Here's what they should know,](#)" *azcentral* (May 7, 2020)
- Quoted, "[Before Arizona employer think about a return to work, attorney offers key advice,](#)" *Phoenix Business Journal* (April 2020)
- Quoted, "[How Valley small business want lenders to handle the second round of PPP loans,](#)" *Phoenix Business Journal* (April 2020)
- Quoted, "[Arizona banks agree to ease foreclosures and evictions, provide relief to borrowers and small business,](#)" *azcentral* (March 30, 2020)
- Quoted, "[Americans will soon get more paid sick, family time. What does that mean for you?,](#)" *azcentral* (March 2020)
- Quoted, "[Valley doctors, dentists, hospitals hunker down during coronavirus crisis,](#)" *Phoenix Business Journal* (March 2020)
- Quoted, "[10 things Arizona employers need to know about coronavirus in the workplace,](#)" *Phoenix Business Journal* (March 2020)
- Co-Author, "[Bending Toward Equal Pay Justice: The Gender Compensation Gap,](#)" *Arizona Attorney Magazine* (February 2020)
- Quoted, "[Arizona Attorney General jumps on vaping lawsuit bandwagon,](#)" *Phoenix Business Journal* (January 8, 2020)
- Quoted, "[With mumps outbreak and flu on the rise in Phoenix, can employers mandate vaccines?,](#)" *Phoenix Business Journal* (December 2019)
- Quoted, "[A budding business,](#)" *Phoenix Business Journal* (November 22, 2019)
- Quoted, "[Arizona school district sues vaping products maker JUUL,](#)" *Phoenix Business Journal* (October 2019)
- Quoted, "[The Law and Your Business: Employment and Personnel,](#)" *In Business Magazine* (June 2019)
- Quoted, "[How to Protect your Business from Hacking and Data Breaches,](#)" *legalnetinc.com* (February 21, 2019)
- Quoted, "[2019 federal tax brackets don't contain any surprises,](#)" *KTAR.com* (November 27, 2018)
- Contributor, "[Arizona workers can get paid time to vote under state law,](#)" *Phoenix Business Journal* (October 30, 2018)
- Contributor, "[Uber also could be charged with manslaughter, 'poorly manage' self-driving](#)

- [program](#)," *Phoenix Business Journal* (June 22, 2018)
- Contributor, "[Department of Labor walks away from lawsuit action after Phoenix firm refuses to pay back wages](#)," *Phoenix Business Journal* (June 15, 2018)
 - Contributor, "[LGBTQ and Business: Community faces diversity challenges in the workplace](#)," *Phoenix Business Journal* (June 8, 2018)
 - Contributor, "[How this nurse made \\$6M in six years](#)," *Phoenix Business Journal* (May 3, 2018)
 - Contributor, "[Initiative filed to tax the wealthy to pay for Arizona teacher salaries](#)," *Phoenix Business Journal* (April 27, 2018)
 - Contributor, "[What employers are doing about #RedForEd teacher walkout in Phoenix](#)," *Phoenix Business Journal* (April 25, 2018)
 - Contributor, "[True North Cos. slapped with anti-SLAPP motion in ongoing legal battle over Phoenix Chinese Cultural Center](#)," *Phoenix Business Journal* (April 24, 2018)
 - Contributor, "[Why the Phoenix Business Community isn't Concerned with Prop. 123 Court Ruling](#)," *Phoenix Business Journal* (March 27, 2018)
 - Contributor, "[Pendergast School District Closes 9 of 12 Schools as 231 Teachers Call in Sick](#)," *Phoenix Business Journal* (March 21, 2018)
 - Contributor, "[Affordable Care Act isn't dead yet, here's what you need to know to avoid huge tax penalties](#)," *Phoenix Business Journal* (February 28, 2018)
 - Contributor, "[Arizona joins 20-state coalition to end Obamacare mandate](#)," *Phoenix Business Journal* (February 27, 2018)
 - Author, "[Employment Attorney Gauges Impact if ACA's Individual Mandate is Repealed](#)," *Phoenix Business Journal* (December 15, 2017)
 - Contributor, "[Addiction in the Workplace: Why There are No Easy Legal or Real-Life Answers](#)," *Phoenix Business Journal* (October 20, 2017)
 - Contributor, "[Trump Suspends Costly Employment Data Collections Provisions](#)," *Phoenix Business Journal* (September 11, 2017)
 - Contributor, "Industry Officials See Challenges from Wage, Sick Leave Law," *Phoenix Business Journal* (July 28, 2017)
 - Contributor, "[Have a Horrible Boss? You Might Learn Something from James Comey and Donald Trump](#)," *Triad Business Journal* (June 9, 2017)
 - Co-Author, "The Defend Trade Secrets Act of 2016: What are Trade Secrets and Why are They Important?" *The Labouring Oar* (Spring 2017)
 - Contributor, "Employers and Medical Record Access," *Arizona Business Gazette* (March 2017)
 - Author, "Deadline to Pay Contractor Depends on Contract," *Arizona Business Gazette* (January 2017)
 - Author, "Employer Must Make Reasonable Accommodation," *Arizona Business Gazette* (January 2017)
 - Contributor, "Is Technology Sinking Your Business?" *AzBusiness Magazine* (November 2016)
 - Contributor, "[Phoenix Orthopedic Surgeon Leads Investors to Develop \\$25M Project](#)," *Phoenix Business Journal* (October 13, 2016)
 - Contributor, "[ASU Subpoenas GoDaddy Over Web Domain that Violated Copyright and Trademark Rights](#)," *Phoenix Business Journal* (October 6, 2016)

- Contributor, "What to do if Politics Are Taking Over the Office," *AZ Big Media* (September 27, 2016)
- Contributor, "[Scottsdale Electronic Cigarette Maker Files for Bankruptcy Protection](#)," *Phoenix Business Journal* (September 20, 2016)
- Contributor, "Honeywell Workers in Phoenix Told to Take 2nd Weeklong Furlough this Year," *Arizona Republic* (September 8, 2016)
- Author, "Rash of Disability Lawsuits Technically not Extortion," *Phoenix Business Journal* (September 2, 2016)
- Contributor, "Office Politics: What Employers Can and Cannot Do to Limit Political Debates in the Workplace," *AzBusiness Magazine* (September 2016)
- Contributor, "[Attorneys: ADA lawsuits show 'current system is completely broken](#)," *Phoenix Business Journal* (August 24, 2016)
- Contributor, "[NLRB rules that grad students at universities can unionize](#)," *Phoenix Business Journal* (August 23, 2016)
- Contributor, "Judge to Hear Case on Recreational Pot," *East Valley Tribune* (August 11, 2016)
- Contributor, "[Class-Action Cyber Attack Lawsuit Against Banner Health May Be the First of Many](#)," *Phoenix Business Journal* (August 10, 2016)
- Contributor, "Here's the Truth Behind Claims That Legalization Will End Workforce Drug Testing For Weed," *Phoenix New Times* (August 2, 2016)
- Contributor, "[Why Arizona Employers Are Worried Recreational Marijuana is Bad For Business](#)," *Phoenix Business Journal* (July 29, 2016)
- Contributor, "[Restaurants, Developers, Other Businesses Face Wave of ADA Lawsuits Related to Parking](#)," *Phoenix Business Journal* (February 19, 2016)
- Contributor, "Reclassifying From Hourly to Salaried," Ask the Experts, *Phoenix Business Journal* (February 4, 2016)
- Contributor, "[Hotels, Bars, Restaurants Face Waves of ADA Compliance Lawsuits](#)," *Phoenix Business Journal* (February 4, 2016)
- Author, "EEOC Clarifies Protections for HIV-positive Workers and Increases Enforcement Actions," HR Compliance Library (February 3, 2016)
- Contributor, "Reclassifying From Hourly to Salaried," Ask the Experts, *Arizona Republic* (February 1, 2016)
- Contributor, "[That retail worker checking out your Christmas presents might be working for free](#)," *Phoenix Business Journal* (December 22, 2015)
- Contributor, "[Workplaces must balance safety, anti-discrimination after San Bernardino, other attacks](#)," *Phoenix Business Journal* (December 11, 2015)
- Contributor, "[The unintended consequences of the new home care labor law](#)," *Phoenix Business Journal* (October 25, 2015)
- Author, "Same-Sex Marriage: Now it's in the Employers Court," *Corporate Law Advisory* (September 2015)
- Author, "Avoid Liability by Meeting 6 Specific Requirements From the Department of Labor" *Construction Business Owner* (April 2015)
- Author, "DOL Expands Coverage of the Family and Medical Leave Act," *HR Executive* (March 25, 2015)

- Contributor, "[Employers face challenges with measles, requiring vaccines](#)," *Phoenix Business Journal* (February 20, 2015)
- Author, "The Restaurants, Dining Trends and Law - Shaping Arizona's Culinary Scene," *Arizona Restaurant News* (November 2014)
- Contributor, "Employer Must Provide Safe Working Environment," Ask the Experts, *Arizona Business Gazette* (March 31, 2014)
- Author, "[SB 1062 Would Open Huge Can of Worms for Hospitals](#)," *Phoenix Business Journal* (February 25, 2014)
- Author, "Business, Social Media and the First Amendment: What Can a Business Do When Customers Rant Online?," *In Business Magazine* (February 2014)
- Author, "Right to Unemployment Money Depends on Reason For Job Loss," *Arizona Republic* (December 1, 2013)
- Author, "7 Things Employers Need to Know About the Affordable Care Act," *Phoenix Business Journal* (November 15, 2013)
- Author, "Employer Can Manipulate Hours to Reduce OT," *Arizona Republic* (October 24, 2013)
- Author, "Hourly Workers Entitled to Overtime Compensation," *Arizona Business Gazette* (September 26, 2013)
- Author, "How Personal Employment Information is Shared and Sold," *AzBusiness Magazine* (September 20, 2013)
- Author, "Surprise, Your Data's Been Shared," *Arizona Attorney Magazine* (September 2013)
- Author, "Workplace Restrictions on Photos, Video Could Violate Federal Law," *Phoenix Business Journal* (August 7, 2013)
- Contributor, "Gather Facts for Claim of Age Discrimination," Ask the Expert, *Arizona Republic* (July 6, 2013)
- Author, "Language Issues in the Workplace Lead to Increase in Employment Discrimination Cases," *AzBusiness Magazine* (May/June 2013)
- Author, "School's Out - What Employers Should Know About Hiring Teens," *Inside Tucson Business* (May 24, 2013)
- Contributor, "Law Provides Guidelines on What Former Employers May Disclose," Ask the Expert, *Arizona Republic* (May 11, 2013)
- Author, "Community Colleges to Cut Hours of 1,300 to Avoid Paying Benefits," *Phoenix Business Journal* (April 19, 2013)
- Author, "Gender or Sexual Orientation Discrimination in Workforce Now a Criminal Offense," *The Record Reporter* (April 3, 2013)
- Author, "At Risk? One Attorney Advocates that Congress Should Revisit the Fair Credit Reporting Act so that Your Personal Information isn't Public," *The Record Reporter* (February 27, 2013)

Interviews

- "[COVID-19 relief law includes FSA flexibility for money that was 'held prisoner'](#)," 3TV/CBS 5 (January 1, 2021)
- "[Arizona law allows workers paid time off to vote on Election Day](#)," KOLD News 13 (October 26, 2020)

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- [“Nowhere to spend child care FSA funds,”](#) 3TV/CBS 5 (October 23, 2020)
- [“Getting Paid Time Off To Vote,”](#) 3TV/CBS 5 (October 20, 2020)
- [“Lawyer advises Arizona employers to tread carefully when rehiring,”](#) KTAR News 92.3 (May 7, 2020)
- [“Your Employee Rights During the COVID-19 Pandemic in Arizona,”](#) 3TV/CBS 5 (May 1, 2020)
- [“Time Off to Vote,”](#) 3TV (October 31, 2018)
- [“9th Circuit Court of Appeals Rules on Minimum Wage for Servers,”](#) KTAR (September 19, 2018)
- “U.S. Supreme Court decision holds that class action waivers in arbitration agreements are enforceable by employers against employees who enter into the agreements,” KTAR (May 23, 2018)
- “Employers Pulling Plug on Holiday Parties Amid Harassment Claims,” KJZZ (December 18, 2017)
- “Family Accuses Caregiver of Switching Woman’s Pain Medication with Anti-Malaria Drug,” Fox 10 (November 20, 2017)
- “Line Can Get Blurry Between Free Speech, Work Social Media Policy,” KJZZ (November 14, 2017)
- “Could Your Political Opinions Get You Fired?” ABC 15 (August 21, 2017)
- “Big Changes Coming for Arizona Workers in Terms of Sick Time at Work,” Fox 10 (June 21, 2017)
- “Employment Issues,” Newsmaker Sunday (April 23, 2017)
- “Medical Marijuana and the Changing Law,” ABC 15 (December 4, 2015)

Presentations

- Mediator, [“Vaccination Mandates and the Workplace Implications of Prop. 207,”](#) Jennings Strouss Labor & Employment Webinar (December 17, 2020)
- [“Legal Preparedness for Practicing in a Pandemic,”](#) Dentistry Uncensored (December 10, 2020)
- [“Marijuana in the Workplace, What Do You Do?”](#) Surprise Regional Chamber of Commerce Live Webinar (December 8, 2020)
- [“Liability Risks from COVID,”](#) The Wealthability Show (June 4, 2020)
- [“Restarting Your Business after COVID-19; Managing Employment, Liability and Regulatory Risks,”](#) Mesa Chamber of Commerce Live Webinar (May 15, 2020)
- Co-presenter, [“What Should Businesses Do?”](#) Mesa Chamber of Commerce Live Webinar (March 31, 2020)
- [“Townie Town Hall on COVID-19 – Q&A Panel,”](#) Dentaltown (March 26, 2020)
- “Managing Innovation Risk,” The Gavel Conference (January 20, 2020)
- “Accommodating Patients Who Are Deaf or Hard of Hearing,” Bayless Integrated Healthcare (December 2, 2019)
- “Labor & Employment Seminar,” Jennings Strouss & Salmon (November 14, 2019)
- “Medical Marijuana in the Arizona Workplace,” American Advertising Federation Tucson’s “How To Series” (August 29, 2019)
- “Protecting Employer Interests: Enforceable and Effective Employment Non-Compete & Non-Solicitation Agreements,” Jennings Strouss & Salmon (March 20, 2019)
- “Labor & Employment Seminar,” Jennings Strouss & Salmon (November 15, 2018)

- “Best Practices in Employment Arbitration from the Arbitrator and the Advocate Perspectives,” State Bar of Arizona CLE (November 14, 2017)
- “Proposition 206,” Lovitt & Touche (June 6, 2017)
- “Proposition 206,” Fennemore Craig Webinar (May 24, 2017)
- “Social Media in the Workplace,” Scottsdale Chamber of Commerce (October 28, 2015)
- “Marijuana in the Workplace,” Moderator (October 6, 2015)
- “The Art and Science of Healthcare Reform,” Panelist (June 18, 2013)
- “Alternative Fee Agreements in Litigation – An Overview of Systems in Use,” Association of Corporate Counsel Arizona Chapter (May 2, 2013)
- “Social Media in the Workplace: What are the Risks and How Can an Employer Avoid Them?” Public Relations Society of America, Phoenix Chapter, Western District Conference (April 19, 2013)

Memberships

State Bar of Arizona

- Member, Labor Section

American Arbitration Association

- Member, National Roster of Arbitrators
- Member, National Roster of Mediators

Maricopa County Bar Association (MCBA)

American Bar Association

- Member, Labor Section
- Former Chair, Young Lawyer’s Division

Arizona Chamber of Commerce

- Member, Employee Relations Committee

Financial Industry Regulatory Authority

- Arbitrator and Panel Chairperson

Federation of Defense and Corporate Counsel (FDCC)

Community Involvement

Southwest Human Development

- Member, Board of Directors

Contemporary Forum

- Member, Board of Directors

Chrysalis Shelter for Victims of Domestic Violence, Inc.

- Former Member, Board of Directors

Florence Crittenton Services of Arizona, Inc.

- Former Member, Board of Directors

Honors and Awards

- AV[®] Preeminent Peer Review Rated[™] (the highest rating available), by Martindale-Hubbell[®]
- Elected, Fellow of The College of Labor and Employment Lawyers
- Listed, "Top 100 Lawyers for 2021," *AZ Big Media* (2021)
- Listed, [AzBusiness Leaders](#) in the category of Labor & Employment Relations (2021)
- Listed, [AzBusiness Leaders](#) in the category of Labor & Employment Relations (2020)
- Listed, *The Best Lawyers in America*[®] in the categories of Employment Law - Management, Litigation - Labor and Employment, and Labor Law - Management (2010 - 2021)
- Listed, *Southwest Super Lawyers*[®] in the category of Employment and Labor (2013 - 2020)
- Ranked, *Chambers USA*, Leading Lawyers for Business
 - Labor & Employment Law - Arizona - Band 3 (2019 - 2020)
 - Labor & Employment Law - Arizona - Band 4 (2015 - 2018)
- Listed, 20 People to Know in the Law, *Phoenix Business Journal* (2016)
- Ranked, Best Arizona Attorneys (2012)