

## John J. Egbert

Member



### Overview

Mr. Egbert is a member of the firm's management committee. He previously served as General Counsel and Chair of the firm's Labor and Employment department.

### Contact

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- Phoenix, AZ

### Areas of Focus

- Labor and Employment Law
- Discrimination

- Wage and Hour
- Wrongful Termination
- Appellate Law
- Commercial Litigation

## **Education**

J.D., Brigham Young University, J. Reuben Clark Law School (1987)

- *magna cum laude*
- Order of the Coif
- BYU Law Review, Lead Note, and Comment Editor
- Hinckley Scholar

## **Biography**

Mr. Egbert is a member of the firm's management committee. He previously served as General Counsel and Chair of the firm's Labor and Employment department.

Mr. Egbert assists employers with all types of employment litigation including discrimination, wrongful discharge, wage and hour and non-compete agreements. He frequently advises clients on employment policies and procedures, and represents employers before administrative agencies.

Mr. Egbert has been selected by his peers for *The Best Lawyers in America*® in the category of Labor and Employment Law (2006-2018).

## **Admissions**

### **Admitted to Practice**

- Arizona (1987)

### **Court Admission**

- U.S. Court of Appeals, District of Columbia Circuit (2000)
- U.S. Supreme Court (1992)
- U.S. District Court, District of Arizona (1987)
- U.S. Court of Appeals, Ninth Circuit (1987)

## **Representative Experience**

### **Labor and Employment**

- Represented large public utilities in various employment discrimination suits and overtime pay disputes
- On behalf of an employer, challenged employee ballots before the National Labor Relations Board (NLRB) in Washington, D.C., which resulted in negating a union's election victory
- Represented public university in disciplinary discharge hearings against a tenured professor
- Represented employer in a dispute concerning the application of federal discrimination laws within an Indian reservation

## Appellate

- *Harle v. Williams*, No. 1 CA-CV 17-0665 (Ariz. App. March 14, 2019)
- *Hopi Tribe Arizona Snowbowl Resort*, 245 Ariz. 397 (2018)
- *City of Tucson v. Tanno*, 245 Ariz. 488 (Ariz. App. October 10, 2018)
- *Haeger v. The Goodyear Tire & Rubber Company*, 137 S.Ct. 1178 (2017)
- *Frank R. v. Mother Goose Adoptions*, 243 Ariz. 111 (2017)
- *RUCO v. ACC*, 240 Ariz. 108 (2016) (amicus)
- *Haeger v. The Goodyear Tire & Rubber Company*, 793 F.3d 1122 (9th Cir. 2015)
- *Arellano v. Primerica Life Insurance Company*, 235 Ariz. 371 (App. 2014)
- *Benkendorf v. Advanced Cardiac Specialists*, 228 Ariz. 528 (App. 2012)
- *Caruthers v. Underhill*, 230 Ariz. 513 (App. 2012)
- *Para v. Anderson*, 231 Ariz. 91 (App. 2012)
- *Salt River Project Agricultural Improvement and Power District v. Lee*, 672 F.3d 1176 (9th Cir. 2012)
- *Southwest Gas Corp. v. Grubb*, 229 Ariz. 198 (App. 2012)
- *Walsh v. Advanced Cardiac Specialists*, 229 Ariz. 193 (2012)
- *Transwestern Pipeline Co. v. Agua Fria Investments*, 627 F.3d 1268 (9th Cir. 2010)
- *Seisinger v. Siebel*, 220 Ariz. 85 (2009)
- *Navajo Nation v. U.S. Forest Service*, 535 F.3d 1058 (9th Cir. 2008)
- *Phelps v. Firebird Raceway, Inc.*, 207 Ariz. 149 (2004)
- *Bailey v. Southwest Gas Corp.*, 275 F.3d 1181 (9th Cir. 2002)
- *Dawavendewa v. Salt River Project Agricultural Improvement and Power District*, 276 F.3d 1150 (9th Cir. 2002)

## Media and Presentations

### Articles

- Co-contributor, "[Does Employer Have to Pay for Classes?](#)", *azcentral.com* (August 24, 2016)
- Co-contributor, "[Job Hunt Wise During Long Suspension](#)," *azcentral.com* (June 23, 2016)
- Co-contributor, "[Employee Confidentiality Agreements Are Important](#)," *azcentral.com* (August 16, 2015)
- Co-contributor, "[Confidentiality Agreements Important](#)," *Arizona Business Gazette* (April 13, 2015)
- Co-contributor, "[Circumstances for Unpaid Internships Are Limited](#)," *Arizona Republic* (April 2,

2015)

- Author, "[Use of Comp Time](#)," azcentral.com (November 27, 2014)
- Contributor, "[Wage Lawsuits Against Businesses On the Rise](#)," *Phoenix Business Journal* (March 13, 2014)
- Co-contributor, "[Obama Looks to Expand Overtime Rules, Could Follow California Model](#)," *Phoenix Business Journal* (March 13, 2014)
- Author, "[Employers Face Changes to the Americans with Disabilities Act \(ADA\)](#)," (December 17, 2008)
- Author, "[The FMLA Expands to Benefit Military Family Members](#)," *Jennings Strouss Client Alert* (February 21, 2008)
- Author, "[Safe-Harbor Procedures for Dealing with Social Security "No-Match Letters](#)," *Jennings Strouss Client Alert* (August 20, 2007)
- Author "[Arizona's New Employer Sanction Law](#)," *Jennings Strouss Client Alert* (July 16, 2007)
- Author, "Compensating Employees for On-Call Time," Labor and Employment Update Update, *Jennings Strouss Client Newsletter*
- Author, "Health Care Reform Generated by the ADA," Special Supplement to the *Phoenix Business Journal*
- Author, "After-Acquired Evidence: An Employer's Shield for Wrongful Termination Claims," *Arizona Attorney*

## Blogs

- "[Arizona's Paid Time Off Statute Applies to the Coronavirus](#)," *Jennings Strouss Blog* (March 2020)
- "[Proposed Overtime Rule Will Not Go Into Effect December 1, 2016](#)" *Employment Law Times* (2016)
- "[EEOC Reveals Positions Related to LGBT Workers](#)" *Employment Law Times* (2016)

## Videos

- "[Six Tools Employers Should Use to Reduce Abuse of the Family Medical Leave Act \(FMLA\)](#)" (September 11, 2013)
- "[FMLA Employer Tool #1: Insist on Proper & Timely Notification](#)" (September 23, 2013)
- "[FMLA Employer Tool #2: Insist that An Employee Provides Certification Issued By a Health Care Provider](#)" (September 23, 2013)
- "[FMLA Employer Tool #3: Carefully Evaluate Whether Certification Qualifies for FMLA Leave](#)" (September 23, 2013)
- "[FMLA Employer Tool #4: Ask Sufficient Questions](#)" (September 23, 2013)
- "[FMLA Employer Tool #5: Request Recertification When Appropriate](#)" (September 23, 2013)
- "[FMLA Employer Tool #6: Insist Employee Paid Time Off is Used Simultaneously with Unpaid FMLA Leave](#)" (September 23, 2013)

## Interviews

- "[The Impact of Immigration Reform Bill on Valley Businesses](#)" (June 13, 2013)

## **Memberships**

### **State Bar of Arizona**

- Member, Labor and Employment Section

### **American Bar Association**

- Member, Labor and Employment Law Section

### **J. Reuben Clark Law Society**

## **Honors and Awards**

- [AV Preeminent™ Peer Review Rated](#)
- Listed, *The Best Lawyers in America* (2006 – 2020) in the categories of Commercial Litigation, Employment Law-Management, Labor Law-Management
- Listed, *Southwest Super Lawyers* in the categories of Employment and Labor and Appellate (2007 – 2020)
- AB Top Lawyer, Labor and Employment Law, *Arizona Business Magazine* (2008 – 2011)