

Francis J. Bingham

Shareholder

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Overview

Francis J. Bingham is an experienced employment litigator and counselor who provides focused, detailed, and comprehensive service to clients across a range of industries, including air transportation, manufacturing, healthcare, higher education, finance, and tech (among others). Francis's practice focuses on:

- Discrimination, harassment and retaliation in the workplace
- Wrongful termination
- Wage and hour compliance and disputes
- Minimizing wage and hour exposure
- Commission and other incentive plans

Francis's litigation experience includes single and multiplaintiff actions and class and collective actions in wage and hour and employment discrimination, retaliation, and whistleblowing. Francis regularly defends employers in state and federal courts in lawsuits alleging discrimination, harassment, retaliation, wrongful discharge, emotional distress, FLSA and FMLA violations, public accommodations violations, public policy violations, and similar types of claims. Francis also has extensive experience defending and mediating charges filed with the Equal Employment Opportunity Commission and equivalent state and local administrative agencies, such as the Massachusetts Commission Against Discrimination. Francis has experience defending employers against claims of whistleblower retaliation at the federal and state level, including before the Occupational Safety and Health Administration and DOL Office of Administrative Law Judges. And he has successfully defended air carrier clients against state and federal claims that are precluded by the Air Carrier Access Act.

Francis's counseling practice focuses on avoiding litigation not only by informing employers of legal risks but also by taking practical and creative steps to manage challenging situations in the workplace. Francis has a particular focus both on training HR and other professionals on how to conduct investigations in the workplace and on conducting neutral investigations himself. Francis's investigations counseling and training includes best practices with respect to interviewing witnesses, collecting evidence, making credibility determinations, organizing complex facts, maintaining neutrality,

preserving privilege, and drafting reports. As an independent investigator, Francis has investigated and prepared detailed reports regarding high profile and sensitive sex harassment and discrimination claims, helping employers minimize risk and avoid litigation.

Earlier in his career, Francis clerked for two years at the New Hampshire Supreme Court and worked for another labor and employment firm in Boston.

Professional and Community Affiliations

- Member, Massachusetts Bar Association
- Member, Boston Bar Association

Recognition

- Named, Ones to Watch, *The Best Lawyers in America*®, 2021-2025
- Named, Rising Star, *Super Lawyers*, 2015-2018

Education

J.D., Boston College Law School, 2011, *cum laude*

B.A., University of Massachusetts, 2003, *cum laude*

Bar Admissions

Massachusetts

New Hampshire

Courts

U.S. Court of Appeals, 1st Circuit

U.S. District Court, District of Massachusetts

U.S. District Court, District of New Hampshire

Publications & Press

Littler Rings in New Year with the Elevation of 28 Attorneys to Shareholder

Littler Press Release

January 4, 2023

Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers

Littler Press Release

August 19, 2021

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

Labor and Employment Issues Facing the Healthcare Industry

Littler Report

July 11, 2019

NAIS and TABS Release Their First Task Force Report on Addressing Educator Sexual Misconduct

Littler ASAP

August 25, 2017

Speaking Engagements

2021 New England Virtual Employer Conference

November 9, 2021