

## Frederick C. Miner

Shareholder

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## Focus Areas

Labor Management Relations

## Overview

As a core member of Littler’s Labor Management Relations Practice Group, Fred Miner represents management in collective bargaining negotiations, counsels employers concerning bargaining obligations and administration of collective bargaining agreements, and is an advocate in the arbitration of disputes arising out of collective bargaining agreements and in enforcement litigation. He has represented numerous employers in administrative proceedings before the National Labor Relations Board and in related litigation, including the successful defense of unfair labor practice charges and the successful prosecution and defense of appeals in such cases.

Fred also counsels employers regarding representation proceedings, representation campaigns, and Board conducted elections. He has assisted a number of employers in developing and implementing successful union avoidance strategies.

In addition, Fred assists employers in developing and implementing personnel policies, handbooks, employment contracts, and arbitration agreements. He has successfully enforced individual arbitration agreements in federal courts with respect to a variety of employment related claims.

Fred represents employers in administrative proceedings and litigation with respect to a variety of equal employment opportunity laws, government contractor laws, wage and hour laws, and plant-closing laws.

## Recognition

- Named, The Best Lawyers in America®, 2017-2025
- Named, America's Leading Lawyers for Business, *Chambers USA*, 2015-2020

## Education

J.D., University of Minnesota Law School, 1994

M.A., University of Virginia, 1991

A.B., Dartmouth College, 1989

## Bar Admissions

Arizona

New Mexico

Kentucky

Wisconsin

## Courts

U.S. Court of Appeals, 5th Circuit

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, District of Arizona

U.S. District Court, District of New Mexico

U.S. District Court, Western District of Kentucky

U.S. District Court, Eastern District of Wisconsin

U.S. District Court, Western District of Wisconsin

U.S. District Court, Eastern District of Michigan

## Publications & Press

### **NLRB Adopts Tough New Standard for Workplace Rules**

*Littler ASAP*

August 8, 2023

### **Third Try's the Charm? National Labor Relations Board (Again) Narrows Definition of "Independent Contractor" Under the National Labor Relations Act**

*Littler Insight*

June 14, 2023

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

*Littler Press Release*

August 19, 2021

**Are You Prepared for the Return of the War on Employee Handbooks?**

*Littler Insight*

April 14, 2021

**Protecting the Employer's Internal Personnel Information After the Boeing Co.**

*Littler Insight*

August 20, 2020

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

*Littler Press Release*

August 20, 2020

**Employers' Duty to Bargain Over Union COVID-19 Proposals During the Term of a Collective Bargaining Agreement**

*Littler Insight*

May 4, 2020

**It's Time to Review Your Employee Handbook**

*SHRM Online*

January 15, 2020

**NLRB Majority Curtails Review of Many Common Work Rules**

*Littler ASAP*

October 21, 2019

**Best Lawyers in America© 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year**

*Littler Press Release*

August 15, 2019

**Labor and Employment Issues Facing the Healthcare Industry**

*Littler Report*

July 11, 2019

**Littler Ranked in 2019 Chambers USA Guide**

*Littler Press Release*

April 25, 2019

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 15, 2018

**The NLRB Expands the Use of Confidentiality Rules in The Boeing Co.**

*Littler Insight*

July 2, 2018

**Enforcing Civility: The Board's New Boeing Standard Influences a Range of Policies Promoting Positive Workplaces for Employers and Employees**

*Littler Insight*

June 19, 2018

**NLRB General Counsel Issues Guidance Regarding Handbook Rules**

*Littler ASAP*

June 11, 2018

**Littler Ranked in 2018 Chambers USA Guide**

*Littler Press Release*

May 15, 2018

**NLRB Shifts Standard for Deciding If Employee Handbook Rules Are Lawful**

*Bloomberg Law*

March 9, 2018

**New NLRB Majority Calls off the War on Employee Handbooks**

*Littler Insight*

December 18, 2017

**Best Lawyers in America© 2018 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 17, 2017

**Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide**

*Littler Press Release*

May 26, 2017

**The Best Lawyers in America© Honors More Than 180 Littler Lawyers in Its 2017 Edition**

*Littler Press Release*

August 16, 2016

**Chambers USA Recognizes Littler and Attorneys in 2016 Guide**

*Littler Press Release*

May 27, 2016

**Chipotle in Trouble Again, This Time with the NLRB**

*Corporate Counsel*

March 16, 2016

**NLRB Operations Memo Instructs Regional Offices to Seek Settlements to Address Budget Deficit**

*Littler ASAP*

March 14, 2016

**Chambers USA Recognizes Littler and Its Attorneys**

*Littler Press Release*

May 20, 2015

**NLRB Guidance on Employer Rules Affirms Broad Right to Discuss Working Conditions**

*Bloomberg BNA Occupational Safety & Health Daily*

April 2, 2015

**NLRB General Counsel Report Addresses Employee Handbooks, Work Rules**

*XpertHR*

March 25, 2015

**NLRB General Counsel Issues Report Concerning Legality of Common Employer Rules**

*Littler Insight*

March 25, 2015

**NLRB General Counsel Issues Report Concerning Legality of Common Employer Rules**

*Littler ASAP*

March 19, 2015

**Nurses Union Files Bad Faith Bargaining Charges and Initiates Picketing**

*Littler ASAP*

August 24, 2011

**The DC Circuit Rejects Board Ruling That Hospital's Lawful Conduct Established Discrimination**

*Littler ASAP*

July 15, 2011

**The DC Circuit Rejects Board Ruling That Hospital's Lawful Conduct Established Discrimination**

*Littler ASAP*

July 15, 2011

**Massachusetts Hospital and Nurses Union Establish Defined-Benefit Pension Plan**

*Littler ASAP*

November 19, 2010

**NUHW Establishes Web Site in Kaiser Campaign**

*Littler ASAP*

September 22, 2010

**Kaiser Workers to Begin Mail Ballot Election**

*Littler ASAP*

September 8, 2010

**Unions Extend Their Push For Minimum Nurse-Patient Ratios, Threaten Strikes in California and Minnesota**

*Littler ASAP*

June 10, 2010

**Battle Between SEIU and NUHW Moves into Court**

*Littler ASAP*

March 30, 2010

## **Speaking Engagements**

**Handbook Hardball: Responding to the NLRB's Strict New Standard on Workplace Rules and Its Weaponization of Section 7**

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

**2023 Arizona Regional Employer Conference**

Phoenix, AZ

November 1, 2023

**2022 Arizona Regional Employer Conference**

Phoenix, AZ

October 13, 2022

**2021 Arizona Virtual Regional Employer Conference**

Phoenix, AZ

October 12, 2021

**The Impacts of the 2020 Election: What to Expect from the NLRB Under a Biden Administration**  
2021 Arizona SHRM Virtual Employment Law & Legislative Conference  
February 26, 2021

**The Impacts of the 2020 Election: What to Expect from the NLRB Under a Biden Administration**  
Phoenix, AZ  
January 27, 2021

**Arizona Virtual Employer**  
October 20, 2020

**Healthcare Roundtable**  
Littler Executive Employer, Phoenix, AZ  
May 2, 2018

**The New National Labor Relations Board: Changes, Observations and Current Issues**  
February 9, 2018

**What Can We Expect From The New NLRB: Is The "Snap-Back" From Expansive Obama Era Policies Here?**  
2017 Littler Arizona Employer Conference  
October 17, 2017

**The Ambush Election: One Year In**  
Littler Arizona Employer Conference, Phoenix, AZ  
October 25, 2016

**Public Sector Employment Law Update**  
Phoenix, AZ  
July 27, 2016

**Hot Topics in Employment and Labor Law**  
Phoenix, AZ  
August 13, 2015

**"Ambush" Elections Have Arrived: Are You Ready?**  
April 10, 2015

**Hot Topics in Employment and Labor Law**  
Phoenix, AZ  
August 15, 2013

**Hot Topics in Employment and Labor Law**

Phoenix, AZ

August 14, 2013

**Hot Topics in Employment and Labor Law**

Phoenix, AZ

August 13, 2013

**4th Annual Public Sector Employment Law Update**

Phoenix, AZ

February 14, 2013

**Tribal Enterprise Operations: National Labor Relations Board (NLRB) Jurisdiction**

Las Vegas, NV

October 19, 2012

**3rd Annual Public Sector Employment Law Update**

Phoenix, AZ

May 23, 2012

**The NLRB and DOL Try to Breathe New Life Into Union Organizing and Regulation of Employee Conduct**

Littler Mendelson, Scottsdale, AZ

May 10, 2012

**Managing Employee Leaves of Absence and Requests for Intermittent Leave**

Phoenix, AZ

February 8, 2012

**Change Is Here! What Does the NLRB Have in Store for Your Business?**

Tolleson, AZ

October 20, 2011

**Change Is Here! What Does the NLRB Have in Store for Your Business?**

Scottsdale, AZ

October 19, 2011

**Change Is Here! What Does the NLRB Have in Store for Your Business?**

Phoenix, AZ

October 18, 2011



**The ADAAA Final Regulations**

Phoenix, AZ

May 4, 2011

**2nd Annual Public Sector Employment Law Update**

Tempe, AZ

February 17, 2011

**Employment Law Update**

Phoenix, AZ

September 30, 2010

**2010 Public Sector Employment Law Update**

Surprise, AZ

March 19, 2010

**What Arizona Employers Need to Know About Labor Law Issues Permeating the Workplace**

Phoenix, AZ

February 3, 2010

**Who Says That Social Networking Is Just for Kids?**

Phoenix, AZ

December 10, 2009

**Best Practices for Downsizing and Preparing for the Employee Free Choice Act**

Phoenix, AZ

April 15, 2009