

## Joseph M. Wientge Jr.

Shareholder  
Co-Chair, Arbitration Practice Group

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## Focus Areas

Arbitration  
Discrimination and Harassment  
Leaves of Absence and Disability Accommodation  
Whistleblowing, Compliance and Investigations  
Littler X-celerator Toolkits

## Overview

Joseph M. Wientge, Jr. is Co-Chair of Littler's Arbitration Practice Group, while also utilizing his extensive experience to represent employers in venues ranging from investigations to administrative agency proceedings, to litigation in state and federal courts.

### Arbitration

In his role as Co-Chair, Joe counsels clients on all manner of issues regarding the drafting and enforcement of employment arbitration agreements. Joe also has experience successfully arguing arbitration enforcement issues in trial court and in Courts of Appeal.

### Litigation

Joe has significant experience successfully resolving state and federal matters through motions to dismiss, motions for summary judgment, at trial, and on appeal, including:

- Discrimination, harassment, and retaliation claims
- Wrongful termination claims

- Family and medical leave claims
- Breach of contract disputes

### **Administrative Proceedings**

Joe has guided clients through administrative investigations and hearings before:

- The Equal Employment Opportunity Commission
- The Missouri Commission on Human Rights
- The Federal Department of Labor
- The Office of Civil Rights
- The Boards of Education for numerous Missouri school districts

### **Counseling**

Joe regularly advises employers on hiring, discipline and termination procedures. He counsels employers on creating or revising employment policies, separation agreements, and employment contracts. He also conducts training and seminars on a wide variety of employment and education-related topics.

Joe has extensive experience representing employees in various industries, including healthcare, education, manufacturing and customer service.

### **Prior and Academic Experience**

Prior to joining Littler, Joe worked for two other law firms in St. Louis, where his focus was education and labor and employment work. In law school, he was a note and comment editor for the *UMKC Law Review* and a member of the American Bar Association (ABA) Negotiation Team.

### **Professional and Community Affiliations**

- Member, Missouri Bar Association
- Member, Illinois State Bar Association
- Member, Council of School Attorneys, Missouri School Boards Association
- Member, Alumni Mentor Program Committee, De Smet Jesuit High School

### **Recognition**

- Named, Rising Star, Missouri and Kansas, *Super Lawyers*, 2014-2015

### **Education**

J.D., University of Missouri-Kansas City School of Law, 2005, *cum laude*

B.B.A., Marquette University, 2002, *cum laude*

## Bar Admissions

Missouri

Illinois

## Courts

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. District Court, Eastern District of Missouri

U.S. District Court, Western District of Missouri

U.S. District Court, Central District of Illinois

U.S. District Court, Southern District of Illinois

## Publications & Press

### **Ninth Circuit: “Transportation Exemption” Does Not Apply to Arbitration Clauses Between Corporate Entities or in Commercial Contracts**

*Littler ASAP*

April 23, 2024

### **U.S. Supreme Court Clarifies When the Federal Arbitration Act’s “Transportation Exemption” Applies**

*Littler ASAP*

April 15, 2024

### **California Supreme Court Holds Plaintiffs with Arbitration Agreements Retain Standing to Pursue Non-Individual PAGA Claims in Court**

*Littler Insight*

July 18, 2023

### **Ninth Circuit Eliminates Obstacles to Enforcement of Employment Arbitration Agreements in California**

*Littler Insight*

February 17, 2023

### **Supreme Court Permits Arbitration of Individual PAGA Claims**

*Littler Insight*

June 17, 2022

### **You Put Your Mask Order On, You Take Your Mask Order Off: What the St. Louis Face Covering Orders Are All About**

*Littler ASAP*

July 29, 2021

**Illinois to “Stay at Home” – What Does This Mean for Employers?**

*Littler ASAP*

March 21, 2020

**St. Louis Enacts Ban-the-Box Ordinance Applicable to Private Employers**

*Littler ASAP*

January 29, 2020

**Littler Elevates 28 Attorneys to Shareholder**

*Littler Press Release*

January 3, 2018

**Workplace Violence Prevention Efforts and Responses to Tragedy**

*ACC-St. Louis Quarterly Newsletter*

Fall 2016

**The Big Move Toward Big Data in Employment**

*Littler Report*

August 4, 2015

**The E-Workplace: Internet Security, Privacy & Social Media Policies**

March 3, 2015

**Your Best Defense Against Missouri Human Rights Act: Call Governor Nixon Today**

*MoASBO Magazine*

April 2011

**Protecting Your District in Trying Times: How to Properly Conduct Reductions in Force**

*MoASBO Magazine*

April 2010

**New FMLA Regulations: Complying with Additional Requirements**

*MoASBO Magazine*

January/February 2009

**Off Campus Misconduct: When Should A District Take Action?**

*MoASBO Magazine*

July/August 2008

**Student Discipline Update: Recent Case Law Concerning What Constitutes a “Weapon”**

*Focus*

October 2007

**Unfunded Liability: The Legal Risks Posed by Employee Dismissals Supported by Inadequate Documentation**

*Focus*

March 2006

**The Illusionary Threat Posed by the Age Discrimination Act**

*Focus*

December 2005

**Foreseeable Change: The Need for Modification of the Foreseeability Standard in Cases Resulting from Terrorist Attacks After September 11th**

*74 UMKC Law Review 165*

2005

## **Speaking Engagements**

**2024 Houston Regional Employer Conference**

Houston, TX

September 26, 2024

**Supreme Impact: How the US Supreme Court's Arbitration Decisions May Change the Conversation About Adopting, Enforcing, and Winning at Arbitration**

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

**Arbitration Update: Is it Smooth Sailing After Viking River and What Can We Do to Avoid New Challenges?**

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

**Changing the Game – How Employers Can Use Arbitration Agreements to Avoid Striking Out in Litigation**

October 4, 2022

**2022 St. Louis Regional Employer Conference**

St. Louis, MO

September 22, 2022

**Addressing Sexual Harassment: Best Practices in the New Legal Landscape**

SHRM Legal Roundtable

February 17, 2021

**Reasonable Accommodations in an Unreasonable World**

October 27, 2020

**Navigating the Choppy Waters of Illinois' New Wave of Employment Laws**

January 14, 2020

**Take Cover – An Analysis of Missouri's Mandatory Reporting Requirements**

Central Office Administrators Conference

November 2017

**A New Day – Understanding How the Changes to the MHRA Will Affect Your School District**

Missouri Association of Rural Educators Fall Conference

October 2017

**2017 Brings Sweeping Changes to Federal and State of Missouri Labor and Employment Laws**

St. Louis, MO

June 8, 2017

**A Never Ending Story – How to Avoid Pitfalls During Investigations**

Missouri Association of School Business Officials Spring Conference

May 2017

**Politics in the Workplace – Election and Employment Law Collide**

HRMA Legal Roundtable

February 2017

**Conducting Effective Investigations**

Littler Roundtable Event

September 2016

**Avoiding Legal Claims in the Hiring Process**

2016 IPMA-HR Central Region Conference, St. Louis, MO

June 6, 2016

**Surviving Expanding ADA, FMLA, and Paid Sick Leave Obligations**

2016 IPMA-HR Central Region Conference, St. Louis, MO

June 6, 2016

**The Essential Guide – Understanding the EEOC & MCHR Complaint Process**

Missouri Association of School Business Officials Spring Conference  
May 2016

**HR Investigations – How to Avoid Common Pitfalls and Defend Your Investigations**

HRMA Legal Roundtable  
February 2016

**Social Media in School Decision Making**

Missouri Association of Rural Educators Fall Conference  
October 2015

**The Melting Pot – Religious Accommodations in the Workplace**

HRMA Legal Roundtable  
February 2015

**Unruly Patrons: How to Handle Overzealous “Concerned Citizens”**

Missouri Association of Rural Education  
October 2014

**Workplace Romance**

Human Resources Management Association of Greater Saint Louis  
March 2014

**Navigating the First Amendment in a Sea of Social Media**

Missouri Association of Rural Education  
February 2014

**Love in the Workplace - What's an Employer to Do?**

February 14, 2013