

Josh Bortnick

Littler CaseSmart Counsel

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Focus Areas

Littler CaseSmart

Discrimination and Harassment

Leaves of Absence and Disability Accommodation

Wage and Hour

Overview

As a member of the Littler CaseSmart® team and based in Missouri, Josh Bortnick is responsible for handling administrative agency charges from investigation to conclusion. He works on client-dedicated service teams, focused on handling charges. He investigates charge allegations, reviews pertinent documents, interviews key witnesses, and provides clients an assessment of the risks associated with the charge. In partnership with the client, Josh defends the charge by drafting persuasive position statements and responses to the agency's requests for information and/or pursues resolution of the charge through formal or informal settlement negotiations.

Prior to joining Littler, Josh provided labor and employment counseling and litigation defense exclusively to employers. Having represented a wide range of companies since 2005, his practice included:

- Litigation of harassment, discrimination, and retaliation claims under federal and state statutes
- Noncompetition and nonsolicitation agreements
- Wage and hour matters
- Public accommodation claims

Josh has developed significant experience in:

- Federal, Missouri, and Illinois state court litigation
- Missouri Prevailing Wage matters
- Public accommodation claims under the ADA and MHRA
- Charges pending with the National Labor Relations Board
- Counseling employers regarding drug testing

- Reductions in force on both an individual basis and mass layoffs

Josh also counseled employers in all daily matters related to employees, including payroll issues, termination, discipline, hiring, creation of employment handbooks and policies, and employee training. He worked with employers in developing policies, training, reductions in force, and daily matters regarding the FMLA and ADA. He provided counsel to and represented clients in the following industries:

- Healthcare
- Retail
- Manufacturing
- Transportation
- Construction
- Maintenance
- Education
- Janitorial
- Mining
- Home Furnishings

Recognition

- Named, Rising Star, *Super Lawyers*, 2014-2018

Education

J.D., University of Illinois, 2005, *magna cum laude*

B.S.B.A., Washington University in St. Louis, 2000

Bar Admissions

Missouri

Illinois

Courts

U.S. Court of Appeals, 8th Circuit

U.S. District Court, Eastern District of Missouri

U.S. District Court, Southern District of Illinois