

Peter J. Petesch

Senior Counsel
Chair, Transportation Industry Practice
Group

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Focus Areas

Transportation
Leaves of Absence and Disability Accommodation
Discrimination and Harassment
Arbitration

Overview

Peter J. Petesch handles a wide range of labor and employment matters, including litigation under:

- The Railway Labor Act
- The Americans With Disabilities Act
- The Family and Medical Leave Act
- Title VII
- The Age Discrimination in Employment Act
- Sarbanes-Oxley
- AIR 21 – the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century

He has successfully defended employers in individual and class-based cases before federal and state courts and agencies such as the Equal Employment Opportunity Commission, the National Mediation Board, the Department of Justice, and the Department of Labor's Office of Administrative Law Judges.

Peter has more than 30 years of experience in representing employers in disability-related matters under both Titles I and III of the ADA, and he has taught webinars in both areas. He counsels, litigates and trains on leave issues and whistleblower matters under Sarbanes-Oxley. Peter often works with airlines, offering strategic advice on:

- Union avoidance
- Collective bargaining
- Arbitrations
- AIR 21 whistleblower claims

He also works with healthcare facilities and trade associations, as well as the hospitality, retail and service industries. Additionally, he represented a large human resources association as an amicus participant in four employment law cases before the Supreme Court.

Chair of Littler Mendelson's Transportation Industry Practice Group and a core member of the EEO and Leaves of Absence and Disability Accommodation Practice Groups, Peter has published numerous books and articles on the ADA and other employment issues for a variety of trade journals and has been quoted on labor and employment issues in the national media.

Prior to working at Littler, Peter was the managing partner of the Washington, D.C. office of another nationwide labor and employment firm.

Professional and Community Affiliations

- Member, District of Columbia Bar Association
- Member, Maryland State Bar Association
- Member, American Bar Association
- Member, Special Expertise Panel, Ethics / Corporate Social Responsibility and Sustainability, Society for Human Resource Management
- Member / Former Co-Chair, Business and Labor Partners Board, Business Responds to AIDS Program, U. S. Centers for Disease Control and Prevention

Recognition

- Awarded, AV® Preeminent Peer Review Rating, *Martindale-Hubbell*, 2016-present
- Named, The Best Lawyers in America®, 2007-2025
- Named, Lawyer of the Year, Labor Law - Management, *The Best Lawyers in America*®, 2021
- Named, Top 100 Attorneys, Washington D.C., *Super Lawyers*, 2019-2022
- Named, Super Lawyer, Washington D.C., *Super Lawyers*, 2013-2022
- Named, Top Rated Lawyer® - Transportation Law, *The American Lawyer & Martindale-Hubbell*™, 2013
- Recipient, National Business and Labor Award for Leadership on HIV/AIDS, *U. S. Centers for Disease Control and Prevention*

Education

J.D., Georgetown University Law Center, 1985

A.B., University of Michigan, 1982, *With Honors and Distinction*

Bar Admissions

District of Columbia

Maryland

Courts

U.S. Supreme Court

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. Court of Appeals, D.C. Circuit

U.S. District Court, District of Columbia

U.S. District Court, District of Maryland

Publications & Press

When Is Reassignment a Reasonable Accommodation?

SHRM

August 28, 2024

Annual Report on EEOC Developments – Fiscal Year 2023

Littler Report

May 6, 2024

EEOC Guidance Provides Examples of Accommodations for People with Visual Disabilities

SHRM Online

August 3, 2023

Annual Report on EEOC Developments – Fiscal Year 2022

Littler Report

April 25, 2023

Respond Compassionately to People with Psychological Disabilities

SHRM Online

August 9, 2022

Annual Report on EEOC Developments – Fiscal Year 2021

Littler Report

April 26, 2022

What to Do When COVID-19 Long-Haulers Seek Exemptions from Vaccine Mandates

SHRM Online

September 20, 2021

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

Littler Press Release

August 19, 2021

How to Keep Telecommuting Employees with Disabilities Engaged

SHRM Online

July 19, 2021

What If a Job Applicant Discloses a Disability?

SHRM Online

July 12, 2021

‘Cause We’re Still Living – At Appropriate Distance – in a World of Fools (Spanning the Globe Because You Still Can’t)

Littler Insight

April 1, 2021

Annual Report on EEOC Developments – Fiscal Year 2020

Littler Report

March 1, 2021

Snakes Off a Plane

Littler Insight

December 3, 2020

GC Agenda: December 2020/January 2021: A round-up of major horizon issues for General Counsel

Thomson Reuters Practical Law

December 2, 2020

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

Littler Press Release

August 20, 2020

Demand face masks? Get sued. Lax requirements? Also get sued.

Legal Newswire

July 31, 2020

“Who Was that (Un)masked Man?” Does the Law Protect Employees and Guests Against Wearing Face Coverings?

Littler Insight

July 21, 2020

Federal Court Chooses Reliable Attendance and Rejects Suit Claiming ADA Requires Accommodation of Unpredictable and Unplanned Absences

Littler Insight

March 31, 2020

Annual Report on EEOC Developments – Fiscal Year 2019

Littler Report

March 5, 2020

4 Tips For Handling Requests For Animals In The Workplace

Law360

November 12, 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

Suffering Fools and Foolish Employment Stories Gladly

Littler Insight

April 1, 2019

Work at Home Gets Skeptical Eye from Courts as Disability Issue

Bloomberg BNA

February 21, 2019

Annual Report on EEOC Developments – Fiscal Year 2018

Littler Report

January 28, 2019

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

Littler Press Release

August 15, 2018

Littler and Canine Companions For Independence® Announce Strategic Partnership

Littler Press Release

July 30, 2018

Employers Should Keep Open Mind on Service Animal Accommodation Requests

Bloomberg Law

May 16, 2018

What a Fool Believes? These Non-Fake Employment News Stories

Littler Insight

March 29, 2018

Annual Report on EEOC Developments — Fiscal Year 2017

Littler Report

February 27, 2018

Helping Workers Who Rely on Animals Without Making a Mess

Bloomberg BNA

November 30, 2017

Quiet, Dogs at Work: Why You May Soon Be Clocking In With Fido

Bloomberg BNA

November 29, 2017

Dear Littler: How Do You Address Employee Service Animal Accommodation Requests Under the ADA?

Dear Littler

October 24, 2017

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

Littler Press Release

August 17, 2017

Set Ground Rules for the Different Types of Service Animals

SHRM Online

August 14, 2017

Who Let the Dogs in? Possibly HR: Service Animal Requests in the Workplace

HR Daily Advisor

August 10, 2017

The Continuing Stream of Website Accessibility Claims: A Trial Victory for a Plaintiff and a Dismissal for a Company

Littler Insight

June 21, 2017

Dear Littler: Do I Really Have to Let an Employee Bring an “Emotional Support Pig” to Work?

Dear Littler

June 16, 2017

These Foolish Things – The Oddest Employment Issues of the Past Year

Littler Insight

March 30, 2017

Annual Report on EEOC Developments – Fiscal Year 2016

Littler Report

February 27, 2017

Not Phoning It In: Telecommuting Accommodations and the ADA

Littler Podcast

January 6, 2017

Competition vs. Accommodation

Human Resource Executive Online

January 4, 2017

Telework Under The ADA & Other Nondiscrimination Laws

Littler Report

October 20, 2016

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

Littler Press Release

August 16, 2016

Navigating the Rising Tide of Restaurant Accessibility Claims

FSR Magazine

June 6, 2016

Employers Urged to Tread Lightly on Obesity

Business Insurance

May 8, 2016

Early-Onset Alzheimer's: Too Soon to Forget

Workforce

April 25, 2016

Obesity Alone as a Disability? Slim Chance, Says Eighth Circuit

Littler Insight

April 13, 2016

Emerging Accessibility Issues under Title III of the ADA

Littler Podcast

April 12, 2016

The Wave of Website and Other ADA Accessibility Claims – What You Should Know

Littler Insight

February 22, 2016

Annual Report on EEOC Developments – Fiscal Year 2015

Littler Report

January 12, 2016

Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition

Littler Press Release

August 18, 2015

Keeping Up With the EEOC in 2015

Texas Lawyer

February 2, 2015

EEOC Welcomes New Staff to Build on Agency's National Enforcement Strategy

Bloomberg BNA Daily Labor Report

January 26, 2015

Keeping Up With the EEOC in 2015

Corporate Counsel

January 14, 2015

Annual Report on EEOC Developments - Fiscal Year 2014

Littler Report

January 5, 2015

When Is Enough ADA Leave Enough?

Society for Human Resource Management (SHRM)

December 17, 2014

No Coverage for the Cantankerous? The Ninth Circuit Goes "Retro" In Finding "No Disability"

Littler Insight

August 20, 2014

Littler Attorneys Included in the Best Lawyers in America© 2015 Edition

Littler Press Release

August 18, 2014

Philadelphia-Area Rail Strike Likely to be Short-Lived

Wall Street Journal

June 14, 2014

ADA Ruling Sets Stage For More Work-From-Home Bids

Law360.com

April 24, 2014

Sixth Circuit Opens Floodgates on Telecommuting as a Reasonable Accommodation

Littler Insight

April 24, 2014

ADA: Keep the Plates Spinning on the Poles

Society for Human Resource Management (SHRM), We Know Next

April 3, 2014

Supreme Court Grounds Pilot's Defamation Claim

Littler Insight

January 30, 2014

Annual Report on EEOC Developments - Fiscal Year 2013

Littler Report

January 22, 2014

Littler Attorneys Named in Best Lawyers in America® 2014 Edition

Littler Press Release

August 15, 2013

New psychiatric diagnostic categories could lead to spike in ADA claims

InsideCounsel

August 1, 2013

Annual Report on EEOC Developments – Fiscal Year 2012

Littler Report

January 8, 2013

6th Circuit rules that counseling recommendation violated the ADA

InsideCounsel

October 30, 2012

Increase in Disability Cases Means HR Must Focus on Accommodations, Job Descriptions

Bloomberg BNA Human Resources Report

September 24, 2012

Seventh Circuit Reverses Itself on Reassignments as a Reasonable Accommodation Under the ADA (or "Humiston-Keeling: An Appreciation")

Littler Insight

September 12, 2012

Federal Appellate Court Holds that Requiring an Employee to Undergo Psychological Counseling May Constitute Requiring a Medical Examination Under the ADA

Littler Insight

September 11, 2012

Best Lawyers in America® Names 164 Littler Attorneys to 2013 Edition

Littler Press Release

September 7, 2012

People with HIV and AIDS: Living and Working Longer

HR Magazine

June 1, 2012

Annual Report on EEOC Developments – Fiscal Year 2011

Littler Report

January 20, 2012

Littler's Peter Susser and Peter Petesch Author New Publication on Disability Discrimination and the Workplace Released by Bloomberg BNA

Littler Press Release

January 12, 2012

Best Lawyers in America® Names 108 Littler Lawyers to 2012 Edition

Littler Press Release

September 12, 2011

Firms struggle to comply with ADA leave rules

Business Insurance

August 21, 2011

NMB Launches Expedited Mediation Program

Littler ASAP

June 14, 2011

EEOC Moves Toward Guidance Addressing Leave As a Reasonable Accommodation Under the ADA

BNA's Daily Labor Report

June 2011

District Court Rejects Untimely Claims in Pattern or Practice Lawsuit

Littler Insight

May 23, 2011

Full Breadth of Changes to Federal Disability Law Becomes Clear in EEOC's Final Regulations

BNA Books Monitor

2011

Seventy-Two Littler Attorneys Named to The Best Lawyers in America® 2011

Littler Press Release

August 9, 2010

President Signs Bill Easing FMLA Eligibility Requirements for Airline Flight Crew

Littler Insight

December 22, 2009

61 Littler Attorneys Named to The Best Lawyers in America® 2010

Littler Press Release

August 14, 2009

51 Littler Attorneys Named to The Best Lawyers in America

Littler Press Release

October 31, 2008

Littler Mendelson Welcomes Six-Attorney Team from Ford & Harrison to its Washington, D.C., Office

Littler Press Release

October 6, 2008

Speaking Engagements

Help! We Keep Getting Sued Over Access to Our Websites and Physical Locations... What Can We Do About It?

Littler Executive Employer Conference

May 5, 2022

Unleashing Accommodations in the Post-Pandemic Workplace

June 23, 2021

Littler's Annual Report on the EEOC: A Practical Primer on Organizational, Procedural and Case Developments

April 14, 2021

Not All Who Wander Are Lost: Managing Employee Relocation in the Era of Remote Work

March 11, 2021

Unmasking New COVID-19 Dilemmas: Violence Related to Customer Refusal to Wear Masks, and the Lawful Handling of Employee and Customer Refusal to Wear Masks

August 27, 2020

Littler's Annual Report on the EEOC: A Practical Primer On Organizational, Procedural, and Case Developments

March 10, 2020

Anticipating and Beating the Risks of the Latest Wave of Technology Entering the Workplace

2019 Executive Employer Conference, Phoenix, AZ

May 9, 2019

Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon

February 22, 2019

Littler's Annual Report on the EEOC: Where We've Been and What's on the Horizon

February 19, 2019

Doggy Dilemmas: Accommodating Service Animals for Employees and Customers

Philadelphia, PA

September 6, 2018

Doggy Dilemmas: Accommodating Service Animals for Employees and Customers

Washington, DC

September 5, 2018

Doggy Dilemmas: Accommodating Service Animals for Employees and Customers

Littler Executive Employer, Phoenix, AZ

May 4, 2018

Transportation Roundtable

Littler Executive Employer, Phoenix, AZ

May 2, 2018

Challenges and Differences in Accommodating Religion, Pregnancy and Disabilities in the Workplace

Webinar

December 13, 2017

Dog Gone It - Hogwash About Emotional Support Animals in the Workplace

2017 CLM Conference, New York, NY

November 30, 2017

Service Animal Accommodations

San Francisco, CA

October 19, 2017

Emerging Issues Under FMLA, ADA, and Workers Comp

Tysons Corner, VA

September 28, 2017

Challenges and Differences in Accommodating Religion, Pregnancy and Disabilities in the Workplace

September 19, 2017

Managing a Growing Business

2017 Mid-Atlantic Employer Conference, Washington, D.C.

June 6, 2017

Who Let the Dogs In?

2017 Executive Employer Conference, Phoenix, AZ
May 2017

2016 Mid-Atlantic Employer Conference

Washington, DC
June 7, 2016

Healthcare Industry Roundtable

The 2016 Executive Employer® Conference, Scottsdale, AZ
May 6, 2016

Littler's Annual Report on the EEOC

January 26, 2016

Effectively Handling Leave & Accommodation Issues Under the ADA

Tysons Corner, VA
October 21, 2015

Littler's Annual Report on the EEOC

January 9, 2015

The EEOC's New Strategic Enforcement Plan (SEP) Critical Challenges Faced by Employers

January 24, 2013

HR for NFPs: Hot Topics

2012 Not-For-Profit Industry Conference - AICPA
June 20-22, 2012

Ask the Experts Panel: HR

2012 Not-For-Profit Industry Conference - AICPA
June 20-22, 2012

Don't Be Left Behind: Accommodations and the Interactive Process in the Wake of the ADAAA and the EEOC's Scrutiny of Maximum Leave Policies

Littler Mendelson, Scottsdale, AZ
May 10, 2012

You Did WHAT? Things Your HR and Legal Experts Wish You Knew

AICPA
June 10, 2011

Update on the ADA

Fairfax Bar

May 19, 2011

ADA Compliance Based on the Final Regulations and A Renewed Focus By the EEOC

April 5, 2011

New ADA Accessibility Regulations and Design Standards

December 8, 2010

Books & Book Chapters

- *Disability Discrimination and the Workplace*, BNA, co-author: P. Susser, 2nd ed., 2011, 2017 supplement