

Michael F. Hughes

St. Charles, IL

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PARTNER

Overview

As the National Labor Relations Board advocates in favor of unions and makes it more difficult for employers to communicate the potential ill effects of unionization, the climate between employers and union members becomes more treacherous. Mike works with employers in traditional labor relations matters by preparing statements of position, investigating grievances and litigating matters in response to filings of unfair labor practices with the National Labor Relations Board.

Mike counsels employers on labor relations, including compliance with federal and state statutes and regulations regarding Title VII, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Family and Medical Leave Act, the Fair Labor Standards Act and the National Labor Relations Act. He represents employers facing litigation matters, such as discrimination charges, union organizing drives, collective bargaining, arbitration, and employment contracts and restrictive covenant disputes.

Additionally, Mike provides counsel to clients involved in immigration matters with regard to employment and compliance. He regularly assists employers in obtaining H-1B visas for temporary foreign employees and conducts compliance audits of I-9 forms and employer work authorization obligations.

Experience

Defeated a Laborer Local Union in its Organizing Efforts Directed at a Nursing Home

Defended Family-Owned Automotive Group Against Attempt to Unionize

Successfully Represented Two Separate Franchise Owners against Union Organizing Petitions

SERVICES

- Class Action
- Construction
- Cybersecurity & Data Privacy
- Employment Advice & Counsel
- Employment Litigation
- Equal Pay Compliance
- Government Regulation, Audit & Compliance
- Immigration & Global Mobility
- Labor, Employment, Benefits & Immigration
- Mandatory Training
- OSHA
- Staffing Agency, Independent Contractor & Contingent Workforce
- Traditional Labor & Union Relations
- Unfair Competition Counseling & Litigation
- Vaccine Mandates in the Workplace
- Wage & Hour
- Workplace Investigations

Represented an International Direct Sales Business in a Suit for Breach of Restrictive Covenant and Nondisclosure Agreements

Managed Successive Campaigns to Avert Unionization of Warehouse Employees of a Food Manufacturer

Negotiated a Successor CBA for a Client Procuring Economic Increases under the Client's Budgeted Target

Managed a St. Louis Auto Dealer's Campaign Against Union Petition

Handled Negotiations for an Initial CBA for an Industries Manufacturer

Successfully Filed Numerous Unfair Labor Practice Charges Against Unions Unlawful Picketing Activities at Construction Sites

Defended a Construction Industry Client Against Claims by Union Benefit Funds that Claims the Client was the Purported Successor of a Prior Business Entity and Owed the Funds More than \$1 Million

Defended a Staffing Agency Against Allegations of a Hostile Work Environment and Retaliation Claims

Obtained a Summary Judgment Dismissal in Favor of High Profile Clients Accused of Tortiously Causing a New Business to Suffer \$25M in Alleged "Lost Profits" and an Additional \$75M in Other Damages

Defended Manufacturer Against Attempt to Unionize Laborers

Membership & Involvement

- Member: Illinois State Bar Association
- Board of Directors: Fox Valley Association General Contractors

In the Media

Chicago Tribune Quotes Mike Hughes Regarding Labor and Employment Issues in Lawsuit Against Chicago Blackhawks

Illinois Chamber Tells IDOL Joint Employer Rule Unnecessary – Mike Hughes Provides Testimony to the Illinois Department of Labor (IDOL)

Alerts

Avoiding the Pitfalls of New "Ban the Box" Laws when Hiring Drivers and Other Employees

Michael F.
Hughes

EDUCATION

Chicago-Kent College of Law,
J.D., 2003 *High Honors*

Illinois Institute of
Technology, B.S., 1993

ADMISSIONS

Illinois

Speaking Engagements

ARE YOU A JOINT EMPLOYER? You Could Be on the Hook for Wage & Hour Violations!

Event, SmithAmundsen, Webcast, May 26, 2022

Your Business's Response to Bad "Press" and Negative Social Media Posts

Illinois Chamber of Commerce, Webcast, February 23, 2022

Seventh Annual Labor & Employment Fall Seminar

SmithAmundsen; Oak Brook, IL, September 29, 2021

The Illinois Construction Industry Legal Power Seminar – Sixth Annual

A Live Streamed Seminar

SmithAmundsen; Webcast, January 21, 2021

The Illinois Construction Industry Legal Power Seminar – Fifth Annual

Critical Legal Updates Impacting the Construction Industry: What You Need to Know for 2020

SmithAmundsen; Oak Brook, IL, January 23, 2020

Peaceful Separations: Severance Agreements and Employee Releases

The Horton Group, Webinar, December 11, 2019

Advanced Supervisor Training

Illinois Chamber of Commerce, Seminar; Naperville, IL, November 14, 2018

Controlling, Managing, and Preventing FMLA Abuse: What Employers Need to Know

SmithAmundsen Seminar, Chicago, IL; Webinar, November 2, 2017

Decertifying and Deauthorizing Labor Unions Lawfully Under the NLRA

Illinois Chamber of Commerce; Webinar, October 26, 2017

Are Your Employment Related Forms Up-To-Date?

Illinois Chamber of Commerce; Webinar, March 8, 2017

Published Works

Politicians Aim To Force Unionization In The Private Sector

The Illinois Manufacturer Magazine, August 2, 2021

Illinois Employment Forms-Online Version

Illinois Chamber of Commerce, March 2021

Model Employee Policies for Illinois Employees – 3rd Edition

Illinois Chamber of Commerce, 2021

Conducting the Employment Practices Audit 2020 Edition

Illinois Institute for Continuing Legal Education, 2020

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Illinois Employment Law Handbook - 5th Edition
Illinois Chamber of Commerce, 2019

Blog Posts

“Card Check 2.0” — NLRB General Counsel Seeks to Resurrect Long-Dead Joy Silk Doctrine to Help Unions Organize Employees
Labor & Employment Law Update, April 18, 2022

“Scabby” the Rat Gets Stay of Execution
Labor & Employment Law Update, July 22, 2021

Health Care Workers and Labor Unions: The COVID “Bump” and the New Administration’s Efforts to Unionize More Workers
Labor & Employment Law Update, April 28, 2021

Construction Picket Lines: What Union Workers Must Know
Labor & Employment Law Update, March 16, 2021

Union Friendly PRO Act Reintroduced in Congress: Seeks to Revolutionize Labor Law Throughout the U.S.
Labor & Employment Law Update, February 8, 2021

Ohio COVID-19 Updates
Labor & Employment Law Update, November 18, 2020

Considerations for Utilizing the DOL’s Pilot “PAID” Program
Labor & Employment Law Update, April 16, 2018

High Court Says No More Narrow Construction Standard for FLSA Exemptions
Labor & Employment Law Update, April 13, 2018

Court Awards Against National Labor Relations Board for Improper Restriction Regarding E-Verify
Labor & Employment Law Update, November 11, 2014

NLRB to Encourage Charging Parties to File Claims under OSHA and the FLSA
Labor & Employment Law Update, August 14, 2014

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