

## Attorney Bio - Jimmy F. Robinson, Jr.

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### Jimmy F. Robinson, Jr.

Shareholder

[jimmy.robinson@ogletreedeakins.com](mailto:jimmy.robinson@ogletreedeakins.com)

**Location:**

**Richmond** (Office: 804-663-2336, Fax: 804-225-8641)

**Education:**

J.D., *Thurgood Marshall distinction*, College of William and Mary, 1998

B.A., *cum laude*, Hampton University, 1995

**Practice Groups:**

[Employment Law](#), [Litigation](#), [Wage and Hour](#), [Higher Education](#), [Traditional Labor Relations](#), [Class Action](#)

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Jimmy is a Founding Shareholder of the firm's Richmond office and serves as the office's Managing Shareholder. Jimmy focuses his practice on traditional labor and employment litigation matters.

In his traditional labor practice, Jimmy handles all aspects of a traditional labor practice, including litigating labor arbitration cases, conducting election campaigns, handling proceedings before the National Labor Relations Board including unfair labor practice charges. His practice includes representation of national and international companies with operations across the United States. He also represents non-unionized employers in the development of strategies designed to help those employers remain non-union by advising them on labor and employee relations through issue assessment, supervisory training, advice and counsel with respect to policy development, and lawful/positive communications; where necessary, he advises and counsels employers during union organizing campaigns.

In employment litigation matters, Jimmy represents employers in a wide variety of employment litigation matters in regulatory agencies and in federal and state courts. He defends employers against single party and collective/class action cases involving allegations of sex, race, national origin, religion, gender, age and disability discrimination; wrongful discharge claims; breach of employment contracts; non-compete litigation. He also defends employers against claims for sexual harassment; claims for relief under the Family Medical Leave Act and pay discrimination claims including cases under the Fair Labor Standards Act; OSHA and whistle blower matters; and defamation, among other tort claims arising from the employment relationship. He handles single plaintiff claims as well as collective and class action litigation.

He assists his clients in managing administrative agency investigations, including systematic initiative, pattern and practice and disparate impact claims involving unequal pay, background checking, promotion, hiring and pre-employment testing, and reasonable accommodation processes, among many others. He also counsels employers concerning personnel policies and workplace issues, including leave, benefits, severance, wage and hour obligations, employee discipline, affirmative action plans and employment discrimination matters.

Jimmy is an adjunct professor at the University of Richmond where he teaches Employment Law & Policy and Labor Law. Mr. Robinson has over sixteen years of experience serving as an advisor and advocate for both private, and public schools – from community colleges to statewide university systems. Mr. Robinson skillfully advises and defends higher education clients on virtually every type of employment and labor law matter with a full appreciation of the unique challenges that university senior officers and general counsel face as they attempt to manage the sensitive issues in the higher education environment. Mr. Robinson knows how to work within the special constraints and imperatives of educational institutions. He provides litigation defense, and legal advice involving tenured faculty, adjunct faculty, administrators, students, student organizations and staff members. His experience includes representing higher education clients in a variety of litigation matters, such as defense of claims brought under Title VII, Title IX, Title III, the ADA, the ADEA, civil RICO and USERRA, wrongful discharge, breach of contract, FERPA, the FMLA and other forms of leave, class actions, wage and hour disputes, individual and official capacity claims under 42 U.S.C. §§ 1983, and related state law tort claims. He also provides day-to-day legal advice on a variety of higher education-related subjects, including hiring, promotion, tenure disputes, tenure reviews, shared governance concerns, faculty discipline and misconduct, labor initiatives involving faculty and graduate students, reductions-in-force, leaves of absence issues, termination, and student organization disciplinary matters. His background includes in-depth experience with public policy, and he has considerable experience responding to EEOC charges and complaints filed with the U.S. Department of Education Office for Civil Rights.

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Jimmy is committed to public service matters. His public interest work is significant and varied, and includes: representation of the indigent in custody and other domestic relations matters; providing pro bono simple wills, advance medical directives and powers of attorney to First Responders through the Virginia State Bar Young Lawyers Conference; and putting on multiple Senior Citizens Seminars over-viewing the pertinent and changing laws and programs affecting senior citizens in Virginia. Jimmy is the former President of the Virginia State Bar, Young Lawyers Conference, and the former President of the Virginia Association of Defense Attorneys, Young Lawyers Division.

### Admitted to Practice:

Virginia

### Honors and Awards:

- Selected as one of Richmond's *Style Weekly's* Top 40 Under 40 (2012)
- Listed in *Virginia Business* magazine's "Legal Elite" (2006-2012)
- Selected as a Virginia 'Rising Star' in Employment and Labor by *Law & Politics' Virginia Super Lawyers Magazine* (2007-2012)
- *Virginia Super Lawyers* (2014)

### Experience:

#### Representative Experience

##### Labor

- Represented a top 20 North American Refrigerated Warehousing Company in several unfair labor practice claims resulting in a very favorable outcome for the company. After several months of a strike, and lock out and being brought in at the 11th hour, successfully negotiated collective bargaining agreement for global integrated producer of chemicals and advanced materials for a facility that had gone without a contract for 4 years.
- Successfully represented the global leader in packaging and packaging solutions for the cosmetic and personal care, healthcare and pharmaceuticals, food and beverage company in a three week unfair labor practice trial before an Administrative Judge from the Department of Labor
- Represented a global integrated company operating on five continents in an unfair labor practice matter, resulting in a favorable outcome for the client
- Successfully represented the preferred global leader of an advanced energy and operational solutions in union organizing campaign
- Successfully represented nuclear company in whistleblower action before the Department of Labor and the Tennessee Occupational Safety & Health Administration

##### Employment Litigation

- Successfully defended Transportation Company in FLSA collective action case involving 50+ employees
- Obtained summary judgment for a management company in a case brought by several plaintiffs alleging race discrimination
- Obtained summary judgment for preferred global leader of advanced energy and operational solutions in an unusual Title VII ADA lawsuit in which the plaintiff claimed she was regarded as disabled by the company
- Obtained summary judgment for the world leader in specialty glass and ceramics in a Title VII race discrimination lawsuit
- Obtained summary judgment for the world's largest retailer in a Title VII sexual harassment lawsuit
- Successfully mediated a very challenging negligent retention, negligent hiring case for a premier transportation company wherein the client's damages claimed exceeded \$5 million
- Successfully defended a health care provider at trial in a \$3 million matter wherein the plaintiff alleged the employer's policies and procedures caused her irreparable harm. After a week long trial, the jury deliberated for less than 2.5 hours and returned a defense verdict.
- Successfully defended a health care provider in an unusual matter wherein the plaintiff alleged that the health care provider knew, should have known and should have warned the plaintiff of its employee's previous negative surgical outcomes. No offer was made prior to the trial; the demand by the plaintiff was \$600,000. The jury deliberated for less than 2 hours and returned a defense verdict
- Successfully defended a health care provider in a hybrid employment law/medical malpractice matter wherein the plaintiff sued the defendant for \$2.5 million alleging that the employer was responsible for the wrongful death of plaintiff's decedent because of the employer's hiring and promotion practices. After a week long trial, the jury deliberated for less than 2 hours and returned a defense verdict
- After three days of trial, successfully argued and had sustained a Motion to Strike for a Healthcare provider in a matter wherein the plaintiff alleged the employers failed to properly staff and train its employees who were the plaintiff's co-workers

### Professional Activities:

- Virginia State Bar (Past President, Young Lawyers Conference)
- Virginia Association of Defense Attorneys (Past President, Young Lawyers Division)
- American Bar Association

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- National Bar Association
- Old Dominion Bar Association
- Henrico County Bar Association
- William & Mary School of Law Alumni Board (Member, Board of Directors)
- Junior Achievement of Central Virginia, Inc. (Board Member)
- Oliver White Hill Foundation, Inc. (Board Member)
- Alpha Phi Alpha Fraternity, Inc.

### Speeches:

- Association for Legal Administrators (Keynote Speaker) - "Employment Law Update 2013" - Chesterfield - March 2013
- Sterling Education Services (Guest Lecturer) - "Labor and Employment Law Seminar" - Richmond - February 2013
- 2011 Annual Labor & Employment Seminar - "Little Unknown Facts About Virginia Employment Laws" - Richmond - November 2011
- SHRM - "Virginia Employment Laws" - Richmond - November 2011
- 2011 Annual Labor & Employment Seminar - "New Trends in Managing Social Media in the Workplace" - Atlanta - October 2011
- SHRM - "Employment Law Update - Social Media, FLSA, ADAA, USERRA" - Richmond - October 2011
- Sterling Education Services - "New Developments in Labor Law and the Department of Labor" - Richmond - March 2011
- Sterling Education Services - "FLSA Nuts and Bolts" - Richmond - February 2011
- Virginia State Bar YLC - "Opening Statements 101" - Richmond - July 2010
- University of Richmond Lecture Series Part II - "Social Media & Diversity - Leverage or Liability - The Pros & Cons" - Richmond - July 2010
- University of Richmond Lecture Series Part I - "Blame It On The Economy - The Dwindling Diversity Effort" - Richmond - July 2010
- Richmond SHRM - "The Legal Landscape of Independent Contractors and Contingent Workers" - Richmond - June 2010
- Health Care Reform & Employment Law Seminar, Virginia Automobile Dealers Association - "What Employers Need to Know" - Richmond - June 2010
- 2010 William and Mary BLSA Seminar Series - "Employment Law 101 for the Newly Minted Lawyer" - Williamsburg - February 2010
- 2009 Annual Labor & Employment Seminar - "GINA, RESPECT ACT, ENDA & the New FMLA" - Richmond - November 2009
- 2009 National Employment Law Council Annual Meeting - "How Newly Proposed Legislation Will Change the World of Labor" - Miami - May 2009