John T. Lovett

Partner

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400 West Market Street
Suite 3200
Louisville, KY 40202

Industries

Manufacturing

Industrials

Mobility

Practice Areas

Labor & Employment

Collective Bargaining & Arbitrations

Employment Discrimination & Wrongful Termination

Trade Secrets & Covenants Not to Compete

Union Avoidance / Campaigns

Bar Memberships

Kentucky

John defends those who create jobs. Employers look to John to keep legal issues from adding unnecessary costs, distraction, or inefficiency to their workplaces.

John's work focuses upon (1) helping employers avoid litigation; (2) keeping the workplace union-free; (3) managing existing union relationships; (4) prevailing if litigation is unavoidable; and (5) protecting employers from unfair competition from former employees.

John brings a pragmatic eye to an employer's objectives in order to take the most direct, cost-effective route to achieving them. For example:

- *Avoiding litigation.* Because plaintiff's lawyers use a "no recovery/no fee" business model, John positions employment decisions so plaintiff's counsel see challenging them as a "bad bet," and the EEOC and other government agencies have little interest in them.
- *Unions.* Unions can threaten the effectiveness of any workplace. Employers who face union organizing, negotiations, arbitrations, or contract interpretation need legal guidance steeped in labor law and the workplace dynamics unique to unions. John combines labor law knowledge with insight into the "workplace politics" that determine success or failure when facing a union.
- *Litigation.* Realistic cost/benefit analysis, avoiding surprises, and a down-to-earth defense strategy characterize John's litigation practice. Judges, juries, and government agencies

lose sympathy for "sympathetic" plaintiffs when they see the burden they placed on *co-workers*. John empowers an employer's factual and legal arguments by turning the focus from profits to protecting jobs and the day-to-day work life of solid employees.

- *Unfair competition*. Information, business contacts, and goodwill are often a firm's most important assets in today's economy. Employers must entrust these assets to their employees. John uses a practical understanding of what will work to protect these assets.
- *Resources*. John can rely upon a deep bench. John served a six-year term as Chair of the firm's over 50-lawyer Labor and Employment Practice Group. These lawyers offer diverse expertise, backgrounds, price-points, and local knowledge. John knows them well. Plus, John can call upon over 500 lawyers across the firm when a labor or employment issue touches on another legal field.

John and his wife, Melissa, have four adult daughters. John's favorite diversion is his eight young grandchildren.

John's Relevant Experience

Unions

Assisted clients in defeating over 85 union organizing campaigns.

Assisted clients in winning decertification and deauthorization NLRB elections.

Defended employers in NLRB proceedings involving unfair labor practice charges, Section 10(j) injunction, and NLRB election objections.

Defended employer in LMRA § 301 lawsuit to enforce collective bargaining agreement.

Negotiated collective bargaining agreement limiting the employer's contribution to the cost of employee health insurance to a fixed amount over five years.

Negotiated Project Labor Agreement for multi-billion manufacturing facility and prepared strike preparation plans in response to union strikes and threatened strikes.

Counseling & Training

Established landmark federal labor law precedent authorizing local "right to work" laws under the National Labor Relations Act.

Partners with in-house counsel, HR and other managers to position personnel decision to avoid litigation, agency actions, and union organizing.

Provides clients with cell phone, home phone, as well as office access to assist management with personnel decisions in real time.

Offers 30 years of experience successfully training supervisors and managers on how to maintain positive employee relations and lawfully avoid unions at worksites from California to Connecticut, for manufacturing, distribution, and health care employers and U.S., European, and Asian owned enterprises.

Employment Litigation

Obtained jury verdict for employer in multiple plaintiff discrimination and retaliation challenge to a reduction in force based upon the employer's subjective assessment of employees' performance.

Avoided collective (class) action certification in wage and hour legal challenge to client's nationwide classification of employees as "exempt" from overtime pay.

Obtained jury verdicts in state court lawsuits alleging age, gender, and race discrimination, breach of implied employment contract, and promissory estoppel.

Obtained preliminary injunction enforcing world-wide covenant not to compete against computer software salesperson.

Obtained summary judgments in statutory discrimination and wrongful discharge lawsuits.

Obtained private arbitration award dismissing employee's claim of workers' compensation retaliation.

Other Info About John

Education

University of Kentucky College of Law, J.D., *with distinction, 1981*
Order of the Coif
Kentucky Law Journal, member of Staff

Indiana University, B.A., 1978

Clerkships

Law Clerk, United States District Court for the Western District of Kentucky, 1981-1982

Courts

United States Supreme Court

United States Fourth Circuit Court of Appeals

United States Sixth Circuit Court of Appeals

U.S. District Court Southern District of Indiana

U.S. District Court for the Eastern and Western Districts of Kentucky

Recognition

Chambers USA, Labor & Employment, 2004-2026

Named one of the "Top 100 Labor Attorneys" in the U.S. by the Labor Relations Institute

The Best Lawyers in America®: Employment – Management, 2011-2027, "Lawyer of the Year," 2017, 2025; Labor – Management, 2011-2027, "Lawyer of the Year," 2018, 2024

Selected to Kentucky Super Lawyers, 2007-2026

Member and former Chair, Labor Lawyers Advisory Committee, CUE: An Organization for Positive Employee Relations

Associated General Contractors of Kentucky (AGC), Kentucky Construction Industry Award for Excellence by an Associate Member, 1997

Professional Affiliations

Kentucky Bar Association

American Bar Association

Louisville Bar Association

Kentucky Bar Association, Past Service on Judicial Evaluation Committee

American Bar Association, Labor & Employment Law Section

American Employment Law Council, Charter Member

Labor Lawyer Advisory Committee, CUE: An Organization for Positive Employee Relations

College of Labor and Employment Lawyers, Fellow

Major Publications

"NLRB Kicks Workplace Civility, Consistent Treatment, and EEO Laws to the Curb," Co-author, *Employee Benefit Plan Review*, May 2023

Featured Articles

Labor Contract Bill Would Introduce Sweeping Risks for Companies

House Passes the Faster Labor Contracts Act: Government-Mandated Labor Contracts

NLRB Continues Assault on Employers' Free Speech Rights: Bans Mandatory Captive-Audience Meetings

NLRB Limits Employers' Right to Inform Employees About the Negative Impact of Unionization on the Employer/Employee Relationship

National Labor Relations Board Reverts to Pro-Union Election Procedures

NLRB Gives Historic Boost to Union Organizing

NLRB's New Standard: Work Rules and Policies Are Unlawful if They 'Could' Be Interpreted to Have a Coercive Meaning

NLRB Makes It Easier to Reclassify Independent Contractors as Employees

NLRB General Counsel Continues Her Attempted Erosion of Employer 'Rights': Considers Most Non-Compete Agreements Unlawful

NLRB Kicks Workplace Civility, Consistent Treatment, and EEO Laws to the Curb

NLRB Issues Aggressive Guidance on Severance Agreement Language

NLRB Changes Course About Legality of Non-disparagement and Confidentiality Clauses in Severance Agreements Given to Section 7 Employees

Consequences of the NLRB's Proposed New "Joint Employer" Rule

NLRB Action Against Starbucks Signals Increased Union Risk for All Employers

Union Organizing Petitions Up 57%: What Does This Mean for Employers?

Avoid Buying Big Labor & Employment Law Risks

Understanding Kentucky's new "Right-to-Work" Law

Local "Right to Work" Decision Creates New Opportunities for Improving Labor Climate

Federal Court Stops "Persuader Rule" With Nationwide Temporary Injunction

Sexual Harassment Response Guidelines

What To Do When Workers Can't Work! Solving the FMLA, ADA, and Workers' Comp Puzzle

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