

Of Counsel and Office Litigation Manager, Kansas City

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Practices

- Financial Services
- Employment Litigation

Education

- University of Missouri School of Law, J.D. 1993
- University of Missouri School of Journalism, B.J. 1985

Admitted to Practice

- Kansas - D. Kans. 1997
- Missouri - W.D. Mo. 1993
- Ohio - N.D. Ohio 2016
- Missouri 1993
- Kentucky 2018

Jay Dade is of counsel and the office litigation manager of the Overland Park, Kansas, and Kansas City, Missouri, offices of Jackson Lewis P.C.

Jay partners with clients to counsel and represent them concerning personnel matters; labor relations matters, including unfair labor practice charges, union organizing campaigns, representation elections, secondary activities, collective bargaining and grievance arbitrations; discrimination claims; federal and state wage-hour matters; FMLA matters; restrictive covenant matters (including implementation and enforcement); and unemployment compensation claims proceedings.

Jay's practice ranges from Southwest Missouri and Northwest Arkansas, where he has decades of experience throughout the Ozarks, to Central Missouri, as well as nationally. He works with manufacturing, financial services, trucking and logistics, distribution center, retail, healthcare and other clients. He has a passion for learning how each client operates and succeeds in its own environment.

Representative Experience

- Defense verdict, as lead counsel, in a federal jury trial concerning race, color, sex, national origin, ethnicity and ancestry claims under Title VII, Section 1981 and the Nebraska Fair Employment Practices Act for regional medical providers organization.
- Defense verdict, as lead counsel, in a federal jury trial concerning workplace battery alleged by former senior executive against a peer senior executive at national financial services software developer. Further obtained plaintiff's non-settlement, unilateral dismissal, with prejudice, of corporate defendant during discovery.
- Obtained summary judgment, as lead counsel, regarding overtime wage claims brought under Missouri's wage payment statute for national trucking company.
- Obtained summary judgment, as lead counsel, in AHLA arbitration regarding multiple breaches of contract claims brought by former employed physician for regional medical providers group.
- Two Missouri Court of Appeals decisions for regional grocery products distributor, as lead counsel, that (1) unemployment claimant voluntarily leaves employment without good cause when he fails to obtain reasonably requested physician's release or otherwise makes reasonable efforts to maintain employment, and (2) Missouri LIRC used incorrect standard of "business records" under the Missouri Employment Security Law.
- Obtained first-impression holding, as lead counsel, from the Iowa Court of Appeals on behalf of regional medical provider, that the FAA preempts contrary Iowa state law regarding the enforceability of mandatory arbitration provisions of employment agreements where the subject agreement affects interstate commerce.
- Enforced non-solicitation and confidentiality covenants against former financial investments representative for regional financial services company, as co-lead counsel, that led to earning favorable multi-million-dollar settlement of companion

federal court litigation.

- Negotiated multiple successor contracts for regional financial services company, resulting in substantial gains for management and cost savings over respective contract terms.
- Negotiated multiple successor contracts for regional grocery chain, resulting in substantial gains for management and cost savings over respective contract terms.
- Negotiated simultaneous successor contracts for regional quarry operation.

Honors and Recognitions

- *Benchmark Litigation*, “Labor and Employment Star” (2021-present)
- *The Best Lawyers in America*®, “Employment Law – Management”, “Labor Law – Management” and “Litigation – Labor and Employment” (2013-present)
- *Springfield Business Journal*, Trusted Advisor (2016)
- University of Missouri, Faculty-Alumni Award (2013)

Pro Bono and Community Involvement

- Community Foundation of the Ozarks, Community Innovation Grant Awards Panel Member (2014-2015)
- Mizzou Alumni Association, Governing Board Member (2000-2007) and Past President (2005-2006)
- Mizzou Alumni Association – Greater Ozarks Chapter, Distinguished Tiger Award (2008)
- Mizzou Alumni Association – Kansas City Chapter, Board of Directors Member
- Mizzou Alumni Association – Webster County Chapter, Past President (2013-2015)
- University of Missouri Chancellor’s Fund for Excellence Committee, Member (2013-2021) and Secretary (2007-2008)
- University of Missouri Flagship Council, Founding Member (2005-2013)
- University of Missouri Flagship Council PAC, Founding Member (2008-2013) and Chair (2009-2013)
- University of Missouri Honors College Advisory Council, Member (2015-2021)
- University of Missouri Jefferson Club, Trustee (2009-2014)
- University of Missouri Law School Foundation, Trustee
- University of Missouri Presidential Search Advisory Committee, Member (2007)

Published Works

- *Developing Labor Law* (Bureau of National Affairs, Inc./Bloomberg) (2017-present) [Chapter 27 Editor]
- *Developing Labor Law* (Bureau of National Affairs, Inc.) (2010-2017) [Chapter 27 Contributing Editor]

Speeches

- “ADA and FMLA Update and Dobbs,” SHRM-KC (Kansas City, MO, August 2022)
- “Management Lawyers Navigate Legal Limbo as NLRB Churns,” Law360 (Kansas City, MO, September 2021)
- “Amazon Wins Big Vote, But Unions See Silver Linings,” Law360 Employment Authority (Kansas City, MO, April 2021)
- “Walsh DOL Likely to Look at Union Oversight, Persuader Rule,” Law360 Employment Authority (Kansas City, MO, April 2021)
- “Amazon Wins Big Vote, But Unions See Silver Linings,” Law360 (Kansas City, MO,

March 2021)

- “Are Unions Cool? Depends Whom You Ask,” Law360 Employment Authority (Kansas City, MO, March 2021)
- “3 tips For Handling a DOL Wage and Hour Probe,” Law360 (Kansas City, MO, February 2021)
- “Mo. Gov. Creates Task Force to Examine Worker Classification,” Law360 Tax Authority (Kansas City, MO, September 2020)
- “Arbitration,” University of Missouri School of Law, Guest Lecturer (Columbia, MO, April 2016 and April 2020)
- “Recreational and Medical Marijuana Laws and Workplace Policies: Cutting Through the Haze,” Missouri Hospital Association Annual Conference, Greater Heartland Chapter-HFMA Breakout (Osage Beach, MO, November 2019)
- “Drugs in the Workplace: Cutting Through the Haze of Medical and Recreational Marijuana Laws,” SHRM-KC (Kansas City, MO, October 2019)
- “Anarchy, Business or Usual, or Something in Between: Lucia v. SEC and the Constitutional Challenge to the NLRB’s ALJs,” ABA Committee on the Development of the Law Under the NLRA, Mid-Winter Meeting Co-Presenter (Santa Monica, CA, February 2019)
- “NLRB Scales Back Employee Protections,” SHRM (Kansas City, MO, January 2019)
- “NLRB Joint-Employer Rule Proposal,” Employment Law Daily (Kansas City, MO, September 2018)
- “Missouri Right-To-Work Ballot Initiative,” KMBC-TV (Kansas City, MO, August 2018)
- “Missouri Right-To-Work Ballot Initiative,” KMBZ-FM (Kansas City, MO, August 2018)
- “Recreational and Medical Marijuana Laws and Workplace Policies: Cutting Through the Haze,” Healthcare Financial Management Association, Region 8 Summer Institute (Kansas City, MO, August 2019)