



Principal, Chicago

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Jane M. McFetridge is a principal of the Chicago, Illinois, office of Jackson Lewis P.C. She has been based in Chicago her entire career and has extensive experience litigating all forms of labor and employment matters throughout the Midwest.

## Practices

- National Compliance and Multi-State Solutions
- Class Actions and Complex Litigation
- COVID-19
- Disability, Leave and Health Management
- Distribution and Warehousing
- Leisure
- Healthcare
- Hospitality
- Hotels
- Employment Litigation
- Restaurants
- Retail
- Trials and Appeals
- Manufacturing

## Education

- Northwestern University Pritzker School of Law, J.D. 1989
- University of Illinois at Urbana-Champaign, B.S. 1980

## Admitted to Practice

- U.S. Supreme Court 2005
- 7th Circuit Court of Appeals 1996
- 8th Circuit Court of Appeals 2011
- 10th Circuit Court of Appeals
- Illinois - C.D. Ill. 2003
- Illinois - N.D. Ill. 1989
- Illinois - S.D. Ill. 2003
- Indiana - N.D. Ind. 2001
- Indiana - S.D. Ind. 2007
- Wisconsin - E.D. Wis. 2007
- Wisconsin - W.D. Wis. 2007
- Illinois 1989

Her practice covers the spectrum of employment litigation, including both state and federal claims, and individual and class action suits. Her class action, collective action, and multi-plaintiff experience includes both suits by private parties and by the Equal Employment Opportunity Commission (EEOC). She has handled cases involving claims of race, age, disability, and sex discrimination, as well as sexual harassment, retaliatory discharge, wage and hour and non-compete/restrictive covenant issues. She has broad experience dealing with the EEOC and the U.S. Department of Labor, as well as state and local labor and employment agencies throughout the United States. She has an extensive appellate practice, including oral arguments before the Seventh Circuit Court of Appeals, the Illinois Supreme Court, the Illinois Appellate Courts, and the Michigan Court of Appeals.

Jane also routinely counsels clients on a variety of employment practices including employment contracts and employee handbooks and policies. She conducts employee training seminars, harassment investigations, and frequently speaks on employment-related topics.

Jane testified before the U.S. Senate Committee on Health, Education, Labor and Pensions regarding the pending Paycheck Fairness Act (S. 182). In her testimony, she stressed that our existing laws, including the EPA and Title VII of the Civil Rights Act of 1964, provide robust protection against gender-based pay discrimination. She also emphasized that the employer community is already committed to ensuring gender pay parity.

Jane is also a certified public accountant (Inactive). Prior to attending law school, she worked for six years as an accountant and financial analyst with a major accounting firm and with a multinational pharmaceutical corporation.

## Honors and Recognitions

- *The Best Lawyers in America*®, “Employment Law – Management” (2011-present)
- *BTI*, “Client Service All-Stars” (2011, 2014)
- *Chambers USA*, “Labor and Employment” (2008-present)
- *Martindale-Hubbell*®, “AV Preeminent® – Peer Rated for Highest Level of Professional Excellence” (2000-present)
- *Illinois Super Lawyers*®, “Super Lawyers” (2005-2006, 2008-present)

## Selected Trial Experience

- *Kirkpatrick v. Pfizer, Inc.* (U.S. District Court, Western District of Oklahoma). This case involved age discrimination claims brought by a former sales representative. After a week of trial, a directed verdict was entered for the defendant.

- *Harvey v. Wolfram, et.al.* (Illinois Circuit Court of the 18th Judicial Circuit (DuPage County)). This case involved claims for breach of contract, fraud, and various forms of equitable relief brought by a former high level executive who asserted she had left a lucrative consulting career to become employed by one of the defendants based on assurances that she would be given an equity interest in the business, and that she was terminated to avoid the company's obligation in that regard. After a two and a half week trial, the jury returned a defense verdict on all counts.
- *Romano v. Grand Victoria Casino* (Illinois Circuit Court of the 16th Judicial Circuit (Kane County)). This case involved defamation and intentional infliction of emotional distress claims brought by a former employee against a casino and its Director of Human Resources. A verdict was rendered for both defendants.
- *Morgan v. Insight Communications* (Urbana Human Relations Commission). This case involved race discrimination claims brought by a former employee against a cable and internet service provider. After a three week trial, the complainant settled for a nominal sum, significantly less than the amount demanded throughout the litigation to that point.
- *Atkins v. Grand Victoria Casino* (U.S. District Court, Northern District of Illinois). This case involved failure to hire on the basis of race claims brought by an unsuccessful applicant for a dealer position at a casino. Judgment was rendered for the defendant.
- *Fortier v. AT&T* (Illinois Circuit Court of the 1st Judicial Circuit (Cook County)). This case involved breach of employment contract claims brought by a former Director of Human Resources, who was also an attorney responsible for corporate diversity issues. Directed verdict was entered for the defendant at the close of the plaintiff's case.
- *Schuster v. Shepard Motors* (U.S. District Court, Northern District of Illinois). This case involved age discrimination claims brought by the former general manager of a large automobile dealership. The case settled for a nominal sum during the course of the trial.
- *Scalera v. Village of Oak Park* (Illinois Human Relations Commission). This case involved claims of national origin and age discrimination brought by a former Public Works employee against a municipality. Judgment was rendered for the respondent employer.

### Selected Class and Collective Action Experience

- *Miller, et al. v. Equinox* (U.S. District Court, Northern District of Illinois). This action was brought against a chain of health clubs by a former membership advisor who asserted, on behalf of herself and others, that membership advisors did not receive commission as that term is defined under the Fair Labor Standards Act and that, accordingly, they were non-exempt employees entitled to overtime. After plaintiffs filed their motion for class certification, Defendant pursued an aggressive defensive strategy. Plaintiff was forced to voluntarily dismiss the case, with no money paid by Defendant.
- *Allen, et al. v. Harrah's* (U.S. District Court, Northern District of Indiana). This action was brought against a casino by approximately 60 table game supervisors who claimed they were not exempt employees and thus entitled to overtime and that they had been inappropriately subjected to and denied banked vacation and overtime. Defendant's motion for summary judgment was granted.
- *Ellis, et al. v. Grand Victoria Casino* (U.S. District Court, Northern District of Illinois). This action was brought by African American dealer applicants who claimed they were subject to racially discriminatory hiring practices. Defendant's motion to de-certify the class was granted. Almost all resultant individual claims concluded in summary judgment being granted to defendant. One individual claim was settled for a nominal sum and another was tied to a verdict for the defendant.

- *EEOC v. Village of Oak Park*(U.S. District Court, Northern District of Illinois). This age discrimination claim was brought by the Equal Employment Opportunity Commission on behalf of firefighters who had been denied promotions. The case settled for a very nominal amount on the eve of trial.
- *Betts, et al. v. Sundstrand*(U.S. District Court, Northern District of Illinois, Western Division). This case was brought by African American applicants and employees alleging failure to hire and to promote on the basis of race. Plaintiffs' motion for class certification was defeated.
- *Roman, Yopez, et al. v. Allegis, et al.*(Equal Employment Opportunity Commission, Chicago District Office). This case was brought by a group of temporary workers alleging national origin discrimination resulting from an English only mandate at a manufacturing facility. Protracted settlement discussions resulted in a favorable settlement for the temporary service provider before suit was filed in federal court.

### Published Works

- *Mental and Emotional Injuries in Employment Litigation* 2 ed. VA: Bureau of National Affairs, 2001. [Contributing Author]
- "Employment Law Implications of Mental Health Issues in Law Firms and Legal Departments," *The Practical Lawyer*(April 2010) [Author]
- "Pending Pay Equity Legislation Would Do More Harm than Good," *The Job Description* (DRI, November 15, 2010) [Author]
- "Jury Instructions for Employment Defense Litigators," *Defense Library Series*(DRI, May, 2007) [Editor]
- "Avoiding and Attacking 'Junk Science' in Employment Litigation," *Mental and Emotional Injuries in Employment Litigation*, Second Edition, Bureau of National Affairs (2001) [Author]
- "Federal Court Rejects Overtime Claims of Table Games Supervisors," *Gaming Law Review*11.2 (4/2007) [Author]
- "When are Superiors Personally Liable for Employment Law Violations?" *Illinois Bar Journal*(1/2004) [Author]
- "Employment Litigation: Psychological 'Junk Science,'" *For the Defense* (DRI, October 2001) [Author]
- "After September 11th: Religious Discrimination in the Workplace," *For the Defense* (10/2002) [Author]