



(He/Him)

Principal, Chicago

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## Practices

- National Compliance and Multi-State Solutions
- Background Checks
- Biometrics
- Class Actions and Complex Litigation
- Employment Litigation
- Privacy, Data and Cybersecurity
- Privacy Litigation

## Education

- University of Illinois College of Law, J.D. 2005
- Northwestern University, B.A. 2002

## Admitted to Practice

- 7th Circuit Court of Appeals 2012
- Arkansas - W.D. Ark. 2015
- Illinois - C.D. Ill. 2010
- Illinois - N.D. Ill. 2005
- Illinois - S.D. Ill. 2010
- Indiana - S.D. Ind. 2014
- Wisconsin - E.D. Wis. 2006
- California (inactive) 2007
- Illinois 2005

Jason A. Selvey is a principal in the Chicago, Illinois, office of Jackson Lewis P.C. With an exclusive focus on representing management in workplace law and related litigation, Jason defends employers before federal and state courts and administrative agencies throughout the Midwest. Jason has significant litigation and jury-trial experience, and is a member of the Trial Bar of the U.S. District Court for the Northern District of Illinois. Jason is co-leader of the Firm's Biometric Privacy Litigation group, and is also a member of the Class Action and Complex Litigation and Privacy, Data and Cybersecurity practice groups.

Jason has counseled countless companies regarding compliance with biometric privacy laws, including the Illinois Biometric Information Privacy Act (BIPA). He has litigated dozens of putative class action lawsuits involving alleged violations of the BIPA in state and federal courts throughout Illinois, and is a recognized thought leader regarding this developing and complex area of the law. He further helps clients to mitigate potential exposure and aggressively litigates biometric privacy cases, when necessary.

Jason is also a member of the Background Check team. His experience with Fair Credit Reporting Act (FCRA) compliance and associated class action litigation is noteworthy. For example, he was on a small team that represented two clients in a consolidated nationwide class action, which had well over 100,000 putative class members. Jason also regularly counsels clients regarding the FCRA's requirements, both prior to and after their acquisition of covered consumer reports. He also has counseled countless employers with respect to risks and the necessary analysis prior to disqualifying applicants based on criminal convictions.

Jason's practice also covers a wide range of other employment litigation in both state and federal court, including issues such as: discrimination and harassment; disability accommodation; retaliation, including retaliatory discharge; and whistleblower claims. With his clients, Jason plots a course unique to each litigation, and is well prepared should a matter ultimately proceed to trial. His significant trial experience includes representing employers in trials and merits hearings at the United States District Court for the Northern District of Illinois and Illinois state agencies and courts. Of particular note, Jason conducted a four-week jury trial in the Cook County Circuit Court in 2019.

Jason's practice also includes a broad range of employment counseling, including with respect to handbooks, policies, including with respect to criminal background checks and biometrics, and negotiating and drafting of separation agreements.

While attending law school, Jason was a member of the Order of the Coif and received the Rickert Award for Excellence in Academic Achievement.

## Honors and Recognitions

- *Illinois Super Lawyers®*, "Rising Stars" (2011, 2014-2020) and "Super Lawyers" (2022-present)

## Published Works

- *Testimonial Privileges*. NA: West, 2008. [Assisted in Updating Chapters]
- *18th Annual ERISA Litigation Conference Course Handbook*. NA: West, 2005. [Contributing Author]

## Speeches

- "The Speak Out Evolution: Sexual Harassment in the Workplace," Illinois Human Rights Commission Summit (November 2019)
- Annual Symposium Biometric Information Privacy Act Update (October 2019)
- "Workplace Violence: Awareness & Best Practices" (October 2017)
- "Starting at the End: Separations, Releases, EEOC Pitfalls and Other Issues" (April 2015)
- "Background Checks: Avoiding Liability Under the New 'Ban the Box' Statute and the Existing Patchwork of Laws" (October 2014)
- "The Top Ten Things That Your Supervisors Don't Know That Can Put You in the EEOC's Crosshairs" (April 2014)
- "The New World of Harassment Claims: The Bar Is Lower/The Costs Are Higher" (October 2013)
- "Managing Your Vendors to Avoid Litigation" (March 2013)
- "SHRM Chapter Annual Employment Law Update" (February 2013)
- "When the Whistle Blows: Strategies for Recognizing Issues and Reacting Appropriately to Situations Involving Employee Whistleblowers" (September 2012)
- "Getting Off On the Right Foot: How to Vet Job Applicants Without Breaking the Law" (September 2011)