



Principal, Salt Lake City

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Rick J. Sutherland is a principal in the Salt Lake City, Utah, office of Jackson Lewis P.C. He has decades of extensive experience representing management in a full range of employment matters and all facets of labor relations from union organizing, through collective bargaining and dispute resolution, to union decertification.

## Practices

- National Compliance and Multi-State Solutions
- Labor Relations
- Manufacturing

## Education

- University of Utah S.J. Quinney College of Law, J.D. 1981
- University of Utah, B.S. 1978

## Admitted to Practice

- U.S. Supreme Court 2016
- 9th Circuit Court of Appeals 2014
- 10th Circuit Court of Appeals 1990
- Utah - D. Utah 1981
- Utah 1981

Rick has acted as lead company negotiator in contract negotiations involving many different unions throughout the United States. He has successfully handled numerous labor arbitrations on subjects ranging from disciplinary and termination matters, to difficult contract interpretation questions and issues associated with changes in business operations. He has represented employers before the NLRB in a wide variety of matters and has successfully petitioned the federal court to overturn union arbitration awards unfavorable to management.

He has been heavily involved in FLSA investigations and disputes within the United States Department of Labor as well as in federal court. His experience includes wage, hour and overtime compliance, child labor disputes, prevailing wages and certified payroll submissions under the Davis Bacon Act as well as processing and challenging wage conformance requests. He has represented dozens of employers both at the administrative level as well as in court in complicated FLSA disputes involving complex and often novel questions of law.

Rick also has extensive federal, state and administrative litigation experience in virtually every area of employment-related disputes and provides practical consulting and training to employers in all areas of employment-related regulation. He has litigated wrongful termination, discrimination, harassment, retaliation and wage and hour lawsuits before state and federal courts and administrative agencies and has successfully represented employers before the NLRB, the EEOC, the DOL and their respective state counterparts.

As a former professional competitive freestyle skier, he achieved tenth place in the world. In addition to his ongoing love for skiing, Rick also enjoys mountain biking where he has participated in numerous long distance and endurance races consistently placing with the top finishers. He has always had a very competitive drive that compels him to pursue excellence in all his endeavors. He brings that same enthusiasm, competitive spirit and desire to excel to representation of the clients he works with.

## Representative Casework

- Assisted a new client, with adverse arbitration awards entered against it in union arbitration proceedings, in successfully petitioning federal court for order vacating awards.
- Helped clients prevail in many arbitration hearings involving union contract disputes, discipline and termination of employees and other labor and employment issues.
- Defense verdict for employer in gender based retaliation claim after full trial in federal

court.

- Summary judgment for employer in federal court who had lost claims of sexual harassment and retaliation at the administrative level.
- Assisted employer in obtaining summary judgment against wrongful termination, defamation and infliction of emotional distress claims brought by ex-employee. Dismissal was upheld on appeal to the Utah Supreme Court.
- Directed verdict in favor of employer in case brought by past sales representative alleging wrongful termination, breach of contract and bad faith.
- Verdict for employer after trial on claims of violation of public policy, wrongful termination and retaliation.
- Summary Judgment in favor of employer in Title VII national origin discrimination case which was upheld on appeal to the Tenth Circuit Court of Appeals.
- Defense verdict dismissing numerous claims of violation of various federal statutes which was upheld on appeal to the Tenth Circuit Court of Appeals.
- Assisted numerous employers in defeating charges and complaints before many state and federal agencies relating to discrimination, retaliation, wage violation and unfair labor practices.

### Honors and Recognitions

- *The Best Lawyers in America*®, “Employment Law – Management” (2021–present), “Labor Law – Management” (2024–present) and “Litigation – Labor and Employment” (2021–present)
- *Chambers USA*, “Labor & Employment” (2017–present)
- *Martindale-Hubbell*®, “Distinguished® – Peer Rated for High Professional Achievement”
- *Super Lawyers*®, “Super Lawyer” (2018–2019)

### Pro Bono and Community Involvement

- Utah State Forest Stewardship Committee