

John J. Coleman, III

Partner

Birmingham, AL

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A former chair and current member of the firm's Labor & Employment Practice Group, John's trial experience includes the successful defense as lead counsel of banking, utility, automotive, manufacturing and food service industry employers in over 100 bench and jury trials.

His traditional labor law practice includes elections and representation proceedings, unfair labor practice proceedings and LMRA lawsuits, OSHA (citation defense and whistleblowing defense for 40 years), and disability discrimination defense litigation. John also has experience in noncompete litigation, rulemaking proceedings (including ADA and FMLA rules), and collective bargaining.

John has been an annual contributor to *Occupational Safety and Health Law* (Bloomberg BNA) since 1997 and chapter editor in all editions since 2013.

Experience

- Tried multiple willful death OSHA cases in Philadelphia, Pennsylvania, Chicago, Illinois, Toledo, Ohio and Montgomery and Huntsville, Alabama
- Tried and argued in the U.S. Court of Appeals for the Eleventh Circuit a leading OSHA decision concerning the construction of OSHA 11(c) (whistleblowing) in a win for employers, multiple disability discrimination (leading accommodation and direct threat cases)
- Defending various employers successfully in cases defining "direct threat," "disability," and "reasonable accommodation" in the Eleventh Circuit.
- Defended numerous employers in administrative decisions including successful R and C cases under the National Labor Relations Act (including one hybrid case in which the NLRB

PARALEGAL/ASSISTANT

Paralegal

Valentina Gerdts-Hughes

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CAPABILITIES

OSHA

Employment Litigation

Manufacturing

Labor & Employment

Restaurant Services

Whistleblowing, Retaliation, & Compliance

Non-Compete & Trade Secrets

Class Action

Labor Relations

EDUCATION

J.D., Duke University School of Law

A.B., Duke University

magna cum laude

LICENSED IN

Alabama

Georgia

Texas

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found ULPs but declined to set aside an election voting down the union).

- Received a favorable decision setting aside OSHA "willful" citations involving asbestos at a nuclear plant.
- Received a favorable decision in a confined spaces case obtaining a disposition after hearing that reduced numerous repeat violations and \$128,000 in fines to less than \$8,000.
- Arbitration decisions include labor decisions rejecting individual discharge grievances and one contract interpretation decision allowing the installation of a production line without seniority bidding for positions.
- Tried over 100 cases in employment matters.
- Obtained summary judgment in over four dozen cases in employment matters.

Honors & Recognition

- The College of Labor and Employment Lawyers, Fellow (Class of 2006)
- Listed in *The Best Lawyers in America*® since 1993, Litigation-Labor & Employment since 2011, Employment Law-Management since 2011, Labor Law-Management since 2011, Workers' Compensation Law-Employers since 2011
- Named, *Chambers USA*, Labor & Employment (2003-2023)
- *Benchmark Litigation*, Labor and Employment Star (2021)
- *Lawdragon's* 500 Leading U.S. Corporate Employment Lawyers, Employment Discrimination Litigation & Counseling (2023)
- *Lawdragon's* 500 Leading U.S. Corporate Employment Lawyers (2020)
- *Lawdragon's* Top 100 Nation's Most Powerful Employment Lawyers (2009-2019)
- *Mid-South Super Lawyers*, Employment and Labor since 2016
- American Bar Foundation Lifetime, Fellow (Class of 2017)
- *Human Resources Executive*, "The Nation's Most Powerful Employment Attorneys - Top 100" (2016)
- *Alabama Super Lawyers*, Employment & Labor (2008-2015)

ADMITTED IN

- U.S. Supreme Court
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court - Southern District of Texas
- U.S. District Court - Northern District of Georgia
- U.S. District Court - Middle District of Alabama
- U.S. District Court - Northern District of Alabama
- U.S. District Court - Southern District of Alabama

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News

- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List
Firm News, 11.28.2023
- Two Burr & Forman Attorneys Recognized in Lawdragon 500 Leading Corporate Employment Lawyers Guide
Firm News, 10.06.2023
- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- 61 Burr & Forman Attorneys Ranked in 2023 Chambers USA
Firm News, 06.01.2023
- Coleman and Debruge Named to Lawdragon's Leading Corporate Employment Lawyers in America Guide
Firm News, 08.19.2022

Speaking Engagements

- SSARG Law Review
Speaking Engagement, Nashville, TN, 12.01.2016
- Speaker, LEAP 2015: The 11th Annual Labor & Employment Law Advanced Practices Symposium
Speaking Engagement, 04.10.2015
- Speaker, The ABA Occupational Safety and Health Law Committee Midwinter Meeting
Speaking Engagement, 03.10.2015

Articles

- DOL Publishes Proposed Rule to Allow Third-Party & Union Participation in OSHA Walkthroughs
Article, 09.12.2023
- Disability Discrimination in Employment, *Thomson West*
Articles / Publications, 08.09.2019
- Chapter 24: The Americans with Disabilities Act and the Family and Medical Leave Act, Occupational Safety and Health Law, *Bloomberg BNA*, 3rd Edition (2013)
Articles / Publications, 08.09.2019
- Chapter 24: The Americans with Disabilities Act and the Family and Medical Leave Act, Occupational Safety and Health Law, *Bloomberg BNA*, 4th Edition (2018)
Articles / Publications, 08.09.2019
- Chapter 15: Settlement in Employment Litigation, *Employment Litigation Handbook*, 2nd Edition (2010)
Articles / Publications, 08.09.2019

Civic Activities

- Funds graduate education scholarship at Jacksonville State University and law school minority scholarship at Birmingham School of Law

John J. Coleman, III

- Teaches at Cumberland and the Birmingham School of Law
- Active in St. Francis Xavier Parish
- Campfire, served as Secretary on Board of Directors

Professional Activities

- American Bar Association OSHA Committee
- Alabama State Bar
- State Bar of Georgia
- Texas State Bar