

## Jimmy F. Robinson, Jr.

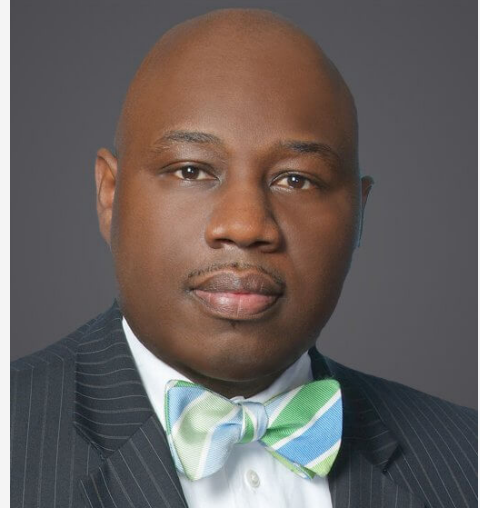
Office Managing Shareholder || **Richmond**

Jimmy is a founding shareholder of the firm's Richmond office and serves as the office's Managing Shareholder. Jimmy focuses his practice on traditional labor and employment litigation matters.

Jimmy serves as the co-chair of the firm's Diversity and Inclusion Practice Group. In this role, he co-leads a group of very talented attorneys dedicated to advising and collaborating with clients to assist them in the development and implementation of their company's diversity and inclusion strategies and initiatives. This includes advising those clients' talent management teams on enhancing the hiring, advancement, retention, and promotion of diverse employees. He advises companies on their inclusive initiatives, their diversity & inclusion demographics and leadership, affinity groups, inclusive culture maintenance and development, sponsorships and partnerships. He serves as a liaison to clients and external organizations dedicated to fostering more diverse and inclusive work environments. He oversees the practice group's efforts to help clients expand opportunities for women and employees of color, he conducts diversity trainings & audits, and advises on internal and external diversity-related communications. Finally, in this space, he helps clients who are looking for practical solutions to legal problems related to diversity and inclusion, including helping them manage litigation issues.

In his traditional labor practice, Jimmy handles all aspects of a traditional labor practice, including litigating labor arbitration cases, conducting election campaigns, handling proceedings before the National Labor Relations Board including unfair labor practice charges. His practice includes representation of national and international companies with operations across the United States. He also represents non-unionized employers in the development of strategies designed to help those employers remain non-union by advising them on labor and employee relations through issue assessment, supervisory training, advice and counsel with respect to policy development, and lawful/positive communications; where necessary, he advises and counsels employers during union organizing campaigns.

In employment litigation matters, Jimmy represents employers in a wide variety of employment litigation matters in regulatory agencies and in federal and state courts. He defends employers against single party and collective/class action cases involving allegations of sex, race, national origin, religion, gender, age and disability discrimination; wrongful discharge claims; breach of employment contracts; non-compete litigation. He also defends employers against claims for sexual harassment; claims for relief under the Family Medical Leave Act and pay discrimination claims including cases under the Fair Labor Standards Act; OSHA and whistle blower matters; and defamation,



### Practice Groups



[Employment Law](#), [Litigation](#), [Wage and Hour](#),  
[Higher Education](#), [Traditional Labor Relations](#),  
[Class Action](#), [Drug Testing](#), [Diversity and](#)  
[Inclusion](#), [Pay Equity](#), [Environmental](#), [Social](#), and  
[Governance \(ESG\)](#).

### Industry Groups



[Retail](#), [Trucking and Logistics](#)

among other tort claims arising from the employment relationship. He handles single plaintiff claims as well as collective and class action litigation.

He assists his clients in managing administrative agency investigations, including systematic initiative, pattern and practice and disparate impact claims involving unequal pay, background checking, promotion, hiring and pre-employment testing, and reasonable accommodation processes, among many others. He also counsels employers concerning personnel policies and workplace issues, including leave, benefits, severance, wage and hour obligations, employee discipline, affirmative action plans and employment discrimination matters.

Jimmy is an adjunct professor at the University of Richmond where he teaches Employment Law & Policy and Labor Law. Mr. Robinson has over sixteen years of experience serving as an advisor and advocate for both private, and public schools – from community colleges to statewide university systems. Mr. Robinson skillfully advises and defends higher education clients on virtually every type of employment and labor law matter with a full appreciation of the unique challenges that university senior officers and general counsel face as they attempt to manage the sensitive issues in the higher education environment. Mr. Robinson knows how to work within the special constraints and imperatives of educational institutions. He provides litigation defense, and legal advice involving tenured faculty, adjunct faculty, administrators, students, student organizations and staff members. His experience includes representing higher education clients in a variety of litigation matters, such as defense of claims brought under Title VII, Title IX, Title III, the ADA, the ADEA, civil RICO and USERRA, wrongful discharge, breach of contract, FERPA, the FMLA and other forms of leave, class actions, wage and hour disputes, individual and official capacity claims under 42 U.S.C. §§ 1983, and related state law tort claims. He also provides day-to-day legal advice on a variety of higher education-related subjects, including hiring, promotion, tenure disputes, tenure reviews, shared governance concerns, faculty discipline and misconduct, labor initiatives involving faculty and graduate students, reductions-in-force, leaves of absence issues, termination, and student organization disciplinary matters. His background includes in-depth experience with public policy, and he has considerable experience responding to EEOC charges and complaints filed with the U.S. Department of Education Office for Civil Rights.

Jimmy is committed to public service matters. His public interest work is significant and varied, and includes: representation of the indigent in custody and other domestic relations matters; providing pro bono simple wills, advance medical directives and powers of attorney to First Responders through the Virginia State Bar Young Lawyers Conference; and putting on multiple Senior Citizens Seminars over-viewing the pertinent and changing laws and programs affecting senior citizens in Virginia.

Jimmy is the former President of the Virginia State Bar, Young Lawyers Conference, and the former President of the Virginia Association of Defense Attorneys, Young Lawyers Division.

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## Experience

### Representative Experience

#### Labor

- ▶ Represented a top 20 North American Refrigerated Warehousing Company in several unfair labor practice claims resulting in a very favorable outcome for the company. After several months of a strike, and lock out and being brought in at the 11th hour, successfully negotiated collective bargaining agreement for global integrated producer of chemicals and advanced materials for a facility that had gone without a contract for 4 years.
- ▶ Successfully represented the global leader in packaging and packaging solutions for the cosmetic and personal care, healthcare and pharmaceuticals, food and beverage company in a three week unfair labor practice trial before an Administrative Judge from the Department of Labor
- ▶ Represented a global integrated company operating on five continents in an unfair labor practice matter, resulting in a favorable outcome for the client
- ▶ Successfully represented the preferred global leader of an advanced energy and operational solutions in union organizing campaign
- ▶ Successfully represented nuclear company in whistleblower action before the Department of Labor and the Tennessee Occupational Safety & Health Administration

#### Employment Litigation

- ▶ Successfully defended Transportation Company in FLSA collective action case involving 50+ employees
- ▶ Obtained summary judgment for a management company in a case brought by several plaintiffs alleging race discrimination
- ▶ Obtained summary judgment for preferred global leader of advanced energy and operational solutions in an unusual Title VII ADA lawsuit in which the plaintiff claimed she was regarded as disabled by the company
- ▶ Obtained summary judgment for the world leader in specialty glass and ceramics in a Title VII race discrimination lawsuit
- ▶ Obtained summary judgment for the world's largest retailer in a Title VII sexual harassment lawsuit
- ▶ Successfully mediated a very challenging negligent retention, negligent hiring case for a premier transportation company wherein the client's damages claimed exceeded \$5 million

- ▶ Successfully defended a health care provider at trial in a \$3 million matter wherein the plaintiff alleged the employer's policies and procedures caused her irreparable harm. After a week long trial, the jury deliberated for less than 2.5 hours and returned a defense verdict.
  - ▶ Successfully defended a health care provider in an unusual matter wherein the plaintiff alleged that the health care provider knew, should have known and should have warned the plaintiff of its employee's previous negative surgical outcomes. No offer was made prior to the trial; the demand by the plaintiff was \$600,000. The jury deliberated for less than 2 hours and returned a defense verdict
  - ▶ Successfully defended a health care provider in a hybrid employment law/medical malpractice matter wherein the plaintiff sued the defendant for \$2.5 million alleging that the employer was responsible for the wrongful death of plaintiff's decedent because of the employer's hiring and promotion practices. After a week long trial, the jury deliberated for less than 2 hours and returned a defense verdict
  - ▶ After three days of trial, successfully argued and had sustained a Motion to Strike for a Healthcare provider in a matter wherein the plaintiff alleged the employers failed to properly staff and train its employees who were the plaintiff's co-workers
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## Education & Admittance to Practice

### Education

- ▶ J.D., *Thurgood Marshall distinction*, College of William and Mary, 1998
- ▶ B.A., *cum laude*, , Hampton University, 1995

### Admittance to Practice

- ▶ Virginia

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## Professional Activities & Speeches

### Professional Activities

- ▶ Virginia State Bar (Past President, Young Lawyers Conference)
- ▶ Virginia Association of Defense Attorneys (Past President, Young Lawyers Division)
- ▶ American Bar Association
- ▶ National Bar Association
- ▶ Old Dominion Bar Association
- ▶ Henrico County Bar Association
- ▶ William & Mary School of Law Alumni Board (Member, Board of Directors)
- ▶ Junior Achievement of Central Virginia, Inc. (Board Member)
- ▶ Oliver White Hill Foundation, Inc. (Board Member)
- ▶ Alpha Phi Alpha Fraternity, Inc.

### Speeches

- ▶ The Big Dipper Innovation Summit (panelist) - "Environmental, Social, Governance (ESG): Building a New Table" - January 13, 2023
- ▶ Workplace Strategies Seminar - "Workplace Diversity, Equity, and Inclusion in a Highly Charged Environment" - Austin - June 24, 2021
- ▶ Ogletree Deakins Webinar - "Diversity, Equity, and Inclusion Programs Following the Chauvin Verdict—What Every Company Needs to Know" - April 28, 2021
- ▶ Ogletree Deakins Podcast - "Finally ... COVID-19 Vaccines Are Widely Available: What Should Employers Do Now?" - April 15, 2021
- ▶ Ogletree Deakins Webinar - "Giving the COVID-19 Vaccination a Shot: What Employers Should Decide and Do Now" - December 3, 2020

- ▶ Labor Law Solutions - "Social Justice, Activist Employees, and Organized Labor" - December 2, 2020
- ▶ Corporate Labor and Employment Counsel Exclusive - "Creating Effective and Legal Diversity, Equity, and Inclusion Programs" - November 12, 2020
- ▶ American Painting Contractor Podcast - "COVID Employment Law" - July 2020
- ▶ Ogletree Deakins Webinar - "Election Preparation: Managing Politics in the Workplace in a Volatile Election Year" - June 23, 2020
- ▶ Ogletree Deakins Webinar - "COVID-19 Update for Virginia Employers" - April 14, 2020
- ▶ Corporate Labor and Employment Counsel Exclusive - "Pop Quiz—Corporate Labor and Employment Law Exclusive Style" - New Orleans - November 15, 2019
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Labor Immersion: The Foundation Series" - Las Vegas - May 1, 2019
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Pardon the Interruption! Workplace Strategies Style" - San Diego - May 5, 2017
- ▶ Association of Corporate Counsel - "Effective Workplace Investigations" - Richmond - December 2015
- ▶ Ogletree Deakins Labor and Employment Counsel Exclusive Seminar - "Raking in the "Leaves" Issues Under the ADA and Other Laws" - Phoenix - November 2015
- ▶ Ogletree Deakins Workplace Strategies Seminar - "The Top 10 FMLA Questions Answered" - San Antonio - May 2015
- ▶ Richmond SHRM - "Employment Law Update 2015" - Richmond VA - March 2015
- ▶ Washington Metropolitan Area Corporate Counsel Association - "FMLA, ADA, or Both – An Advanced Discussion of Complex Leave Issues" - Richmond - December 2014
- ▶ Ogletree Deakins Labor and Employment Counsel Exclusive Seminar - "Legal Compliance Issues for Managing Complex Leaves Under the FMLA, ADA, and Local Laws" - Dana Point - September 2014
- ▶ Ogletree Deakins Workplace Strategies Seminar - "Employment Litigation 2014 Style – Trends, Risks and Predictions" - Las Vegas - May 2014
- ▶ Association for Legal Administrators (Keynote Speaker) - "Employment Law Update 2013" - Chesterfield - March 2013
- ▶ Sterling Education Services (Guest Lecturer) - "Labor and Employment Law Seminar" - Richmond - February 2013

- ▶ 2011 Annual Labor & Employment Seminar - "Little Unknown Facts About Virginia Employment Laws" - Richmond - November 2011
- ▶ SHRM - "Virginia Employment Laws" - Richmond - November 2011
- ▶ 2011 Annual Labor & Employment Seminar - "New Trends in Managing Social Media in the Workplace" - Atlanta - October 2011
- ▶ SHRM - "Employment Law Update - Social Media, FLSA, ADAA, USERRA" - Richmond - October 2011
- ▶ Sterling Education Services - "New Developments in Labor Law and the Department of Labor" - Richmond - March 2011
- ▶ Sterling Education Services - "FLSA Nuts and Bolts" - Richmond - February 2011
- ▶ University of Richmond Lecture Series Part I - "Blame It On The Economy - The Dwindling Diversity Effort" - Richmond - July 2010
- ▶ University of Richmond Lecture Series Part II - "Social Media & Diversity - Leverage or Liability - The Pros & Cons" - Richmond - July 2010
- ▶ Virginia State Bar YLC - "Opening Statements 101" - Richmond - July 2010
- ▶ Health Care Reform & Employment Law Seminar, Virginia Automobile Dealers Association - "What Employers Need to Know" - Richmond - June 2010
- ▶ Richmond SHRM - "The Legal Landscape of Independent Contractors and Contingent Workers" - Richmond - June 2010
- ▶ 2010 William and Mary BLSA Seminar Series - "Employment Law 101 for the Newly Minted Lawyer" - Williamsburg - February 2010
- ▶ 2009 Annual Labor & Employment Seminar - "GINA, RESPECT ACT, ENDA & the New FMLA" - Richmond - November 2009
- ▶ 2009 National Employment Law Council Annual Meeting - "How Newly Proposed Legislation Will Change the World of Labor" - Miami - May 2009

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## Published Works

- ▶ [February 5, 2021 - SHRM Online - "Virginia Issues Permanent COVID-19 Standard"](#)
- ▶ August 2015 - Virginia Lawyer - "Blocked: Managing Social Media at Work Under Virginia's New Privacy Law"

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## Media Quotes

- ▶ July 26, 2021 - [Business Insider](#) - "Goldman Sachs made employees tell them their vaccination status, and your employer could too. Labor lawyers explain what rights employees have."
- ▶ June 2, 2021 - [Business Insider](#) - "Here are the key legal risks employers should consider when asking their employees to come back to the office, according to 3 labor lawyers"
- ▶ December 16, 2020 - [Business Insider](#) - "Employers are flooding labor lawyers' inboxes to ask if they can make a coronavirus vaccine mandatory in the workplace. Here's the advice 6 lawyers are giving clients."
- ▶ November 25, 2020 - [The Indiana Lawyer](#) - "To mandate or not to mandate: Employers preparing for COVID-19 vaccine"
- ▶ November 23, 2020 - [Business Insider](#) - "Employers are frantically calling labor lawyers to ask if they can make a coronavirus vaccine mandatory in the workplace. Here's the advice 6 lawyers are giving clients."
- ▶ August 19, 2020 - [SHRM Online](#) - "Legal Overview of How to Make Hiring and Promoting More Equitable"
- ▶ November 7, 2016 - [SHRM Online](#) - "Right-to-Work Ballot Measures Won't Change Much in Alabama and Virginia"
- ▶ October 27, 2016 - [Law360](#) - "Rainmaker Q&A: Ogletree Deakins' Jimmy Robinson"



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## Honors & Awards



- ▶ Lawdragon's Leading Corporate Employment Lawyers of America (2022)
  - ▶ Virginia Go to Lawyers for Employment Law by *Virginia Lawyers Weekly* (2022)
  - ▶ Selected as one of Richmond's *Style Weekly's* Top 40 Under 40 (2012)
  - ▶ Listed in *Virginia Business* magazine's "Legal Elite" (2006-2012, 2021, 2022)
  - ▶ Selected as a Virginia 'Rising Star' in Employment and Labor by *Law & Politics' Virginia Super Lawyers Magazine* (2007-2012)
  - ▶ *Virginia Super Lawyers* (2014-2015)
  - ▶ Thomson Reuters "Stand-out Lawyer"
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