

John K. Baker

Counsel

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In his 30+ year career, John has shepherded clients through virtually every conceivable labor issue, including mass picketing, unfair labor practice charges, grievances, arbitration, collective bargaining and contract administration.

OVERVIEW

John K. Baker has 30+ years of experience in labor-management relations and has been responsible for enhancing the legal well-being of White and Williams' labor clients. In addition to cities in Pennsylvania, he had dealt with unions in Baltimore, Boston, Indianapolis, Newark, New York City, Pittsburgh and Portland. Among the unions Mr. Baker has faced are various locals of the Teamsters, Ironworkers, Carpenters, IBEW, AFSCME, SEIU, UFCW, Laborers, Printers, Boilermakers, UAW, UNITE-HERE, Steelworkers, FOP, IAFF, Confectioners and Transport Workers. He has shepherded management through virtually every conceivable labor issue, including mass picketing, political pressure, unfair labor practice charges, representation and unit clarification issues, grievances, arbitration, collective bargaining and contract administration.

In addition to his labor experience, clients have sought out John's services in OSHA hazard defense and retaliation cases. He has been consulted on death cases, as well as, fall protection, PPE and various other issues in a variety of industries.

He also represents management in matters involving state and federal employment discrimination and civil rights, wage and hour issues, retaliation claims, wrongful discharge, defamation, prevailing wage, unemployment compensation, trade secrets and restrictive covenants.

John is an Arbitrator for the Lehigh County Court of Common Pleas and the U.S. District Court for the Eastern District of Pennsylvania.

He is a member of the Pennsylvania Bar Association's Lawyer's Assistance and Federal Practice Committees. For the past ten years, he has served as contributing Editor to an ABA publication, *The Developing Labor Law*.

PRACTICES

Labor and Employment

BAR AND COURT ADMISSIONS

Pennsylvania Supreme Court

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the Western District of Pennsylvania

U.S. Supreme Court

EDUCATION

University of Pittsburgh School of Law, JD, 1985

Westminster College, BA, 1982

MEMBERSHIPS

American Bar Association (Labor and Employment Section)

Pennsylvania Bar Association (Disability Services, Lawyers' Assistance, and Children's Rights Committees)

Bar Association of Lehigh County (Board Member)

He has served as adjunct faculty for Labor Relations and Employment Law Courses at Penn State Lehigh Valley, Penn State Berks, DeSales University, Muhlenberg College and Harcum College. John has also been a contributing writer for *Pennsylvania Law Weekly*.

RECOGNITION AND INVOLVEMENT

John was awarded the *Distinguished Service Award* from the Allentown YMCA/YWCA and the *Clara Barton Society Award* by the American Red Cross of the Greater Lehigh Valley for the highest achievement in volunteer leadership. He was named an *MS Corporate Achiever* for contributions to the Lehigh Valley/Greater Berks areas and the *President's Legal Eagle* by the President of the Bar Association of Lehigh County for contributions to the Bar. In 2011, Mr. Baker testified before the Pennsylvania Senate Labor and Industry Committee regarding his own insights relating to proposed unemployment compensation legislation. In 2017, he was named a Local Legal Leader by *Lehigh Valley Magazine*.

REPRESENTATIVE MATTERS

Successfully defended national aeronautic company in dozens of NLRB and OSHA proceedings in Boston and Atlanta

Has stood toe-to-toe with Teamsters, SEIU, Steelworkers, Carpenters, IBEW, UNITE-HERE, Warehouse Workers, UAW and several other Unions

Represented public employer in union negotiations, civil rights defenses, grievance arbitrations and unfair labor practice hearings

Negotiated wage freeze in public employer collective bargaining agreement

Appointed as Interest Arbitrator by local municipality in Act 111 arbitration

Defended Pennsylvania Third Class City in Interest Arbitration case and federal civil rights defense

Obtained mass picketing injunctions on behalf of construction companies and local colleges

A vigorous defense of a rental property development in an alleged racially-motivated housing discrimination case that led to the case's dismissal at the administrative level

Serves as a Section 8 hearing Officer for the Housing Authority of Allentown, Pennsylvania

EVENTS

Lehigh Valley Labor & Employment Seminar
DeSales University, 5.20.22

Lehigh Valley Labor & Employment Seminar
Webinar, 5.26.21

Labor Law in 2021 and Beyond: Trends and Impacts for Employers
Webinar, 3.10.21

Green Phase or Next Phase: Updated Guidance for Pennsylvania Employers and Employees Returning to the Workplace Webinar, 7.15.20

Human Resource Law From Start to Finish
National Business Institute (Philadelphia, PA), 5.13.20

Pennsylvania Employment Law: A 2-Day Practical Course
National Business Institute (King of Prussia, PA), 4.29.20

Mini Law School for HR Professionals: A Comprehensive Primer on Labor and Employment Law
National Business Institute (Scranton, PA), 8.14.19

2019 Lehigh Valley Employment Law Seminar
National Museum of Industrial History (Bethlehem, PA), 6.5.19

Employment Law Seminar
National Museum of Industrial History (Bethlehem, PA), 6.13.18

Employment Law Seminar - Lehigh Valley
Penn State - Lehigh Valley, 5.17.17

Employment Law Seminar - Lehigh Valley
Penn State Lehigh Valley (Center Valley, PA), 6.9.16

Employment Law Seminar
Philadelphia, PA, 5.20.15

Local Government Law: What Attorneys Need to Know
National Business Institute (Scranton, PA), 3.13.15

PUBLICATIONS

Why Will Smith's Oscar Slap Matters – Disability Discrimination Revisited
The Employment Law Counselor, 4.4.22

Takeaways From an Earlier Generation's Labor Management Strategies
The Employment Law Counselor, 2.17.22

NLRB Legal Chief Signals Joint Employer and Secondary Picketing As Issues To Address in 2022
The Employment Law Counselor, 12.23.21

Proper Planning in the Face of a Strike or Walkout
The Employment Law Counselor, 11.12.21

Another Legislative Push to Allow Student Athletes to Organize
The Employment Law Counselor, 6.29.21

The Pittsburgh Steelers and the NLRB
The Employment Law Counselor, 4.26.21

Despite NLRB's Guidance Enhancing Safety Protocols for In-Person Union Representation Elections, Mail Balloting Predominates
Labor and Employment Alert, 9.10.20

Businesses Should Strike the Proper Balance Between Their Desire for Management Autonomy With Sensitivity to Social Justice Issues
Taking Care of Business, 7.1.20

COVID-19 Developments in Labor Relations: The CARES Act and the Duty to Bargain During Public Emergencies
Labor and Employment Alert, 4.1.20

NLRB Reverses Itself on Two Obama-Era Pro-Employee Decisions
Labor and Employment Alert, 12.30.19

NLRB Hits Unions with One-Two Punch the Week Before Labor Day
Labor and Employment Alert, 9.4.19

NLRB Proposed Election Rule Presents Significant Changes to Election Procedures
Labor and Employment Alert, 8.14.19

Recent Third Circuit OSHA Decision Sounds Alarm for Employers and Their Officers
Labor and Employment Alert, 8.7.19

New Massachusetts Law Substantially Restricts Employee Non-Compete Agreements
Taking Care of Business, 8.10.18

United States Supreme Court Ruling on Agency Fees Favors Employers
Labor and Employment Alert, 6.27.18

In *Epic* Case, Supreme Court Reverses NLRB Course on Class Action Waivers
Labor and Employment Alert, 5.23.18

The Controversy Continues: Kaepernick Files Grievance Against NFL
Labor and Employment Alert, 10.18.17

The New National (Labor Relations Act) Anthem
Labor and Employment Alert, 10.11.17

NLRB Rules Student Assistants Are Statutory Employees With Collective-Bargaining Rights
Labor and Employment Alert, 8.24.16

New OSHA Rule Creates Electronic Reporting Requirement
Labor and Employment Alert, 6.20.16

The Developing Labor Law
Bloomberg BNA, 10.23.15

NLRB Changes the "Joint Employment" Standard

Browning-Ferris Industries of California, Inc. Decision is a Game-Changer for Businesses that Subcontract Labor

Labor and Employment Alert, 9.9.15

NLRB Tosses Northwestern University Football Team's Representation Petition

Labor and Employment Alert, 8.20.15