

# Snell & Wilmer

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## William R. Hayden

Of Counsel | Phoenix

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### Main Bio

Since 1972, Bill Hayden has been representing primarily employers of all sizes locally, regionally and nationally on all types of personnel and employment-related matters. His experience includes representing employers before state and federal courts as well as regulatory agencies, for example, the EEOC, the Dept of Labor, and the National Labor Relations Board and in private mediations and arbitrations. Typical issues Bill has handled over these years include employment discrimination, wrongful discharge, sexual harassment, breach of contract and disputes as well as advising corporations in the formulation and implementation of staff reduction programs that minimize legal exposure; drafting and implementing alternative dispute resolution policies and procedures to reduce litigation exposure; preparing Executive Employment Agreements and Executive Separation Agreements; litigating non-compete, non-solicitation, and other restrictive covenants; and assisting in the resolution of internal personnel complaints before they escalate into litigation.

### Representative Experience

#### *Alternative Dispute Resolution*

- Arbitrator, Panel Member, American Arbitration Association (AAA) (1995-present)
- Experienced in arbitration of employment disputes

#### *Representative Clients*

- Bridgepoint Education Corp.
- Education Management Corporation
- TriWest Healthcare Alliance
- Schuff Steel International
- Radio Design Labs

#### *Representative Cases*

- *Chao v. University of Phoenix* (2005 WL 2250004, D. Ariz.); *Chao v. University of Phoenix* (D. Ariz. CV-04-1505 2005). Negotiated resolution of two Department of Labor nationwide wage and hour class action lawsuits
- *Paulsboe v. Farnam Companies, Inc.*, 1997 U.S. App. LEXIS 19990 (10th Cir. 1997) (affirming summary judgment on plaintiff's sexual harassment claims against the Company's CEO)

- *EEOC v. Goodyear Aerospace Corp.*, 813 F.2d 1539 (9th Cir. 1987) (case of first impression in 9th Circuit, limiting the right of the EEOC to pursue litigation following a private settlement with the Charging Party)

## Education

- George Washington University, National Law Center (J.D., cum laude)
- Kansas State University (B.A.)

## Professional Memberships & Activities

- State Bar of Arizona, Executive Committee, Former Member
  - Labor and Employment Law Section, Chairman
  - Civil Jury Instructions Committee
- American Bar Association
  - Labor and Employment Law Section
- Alternative Dispute Resolution
  - Arbitrator, Panel Member, American Arbitration Association (AAA) (1995-Present)
  - Experienced in arbitration of employment disputes

## Representative Presentations & Publications

- "[It's Official: The 'Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act' Is Now Law](#)," Co-Author, Snell & Wilmer Legal Alert (March 3, 2022)
- "[Claims of Sexual Misconduct Can No Longer Be Forced Into Mandatory Arbitration](#)," Author, Snell & Wilmer Legal Alert (February 16, 2022)
  - Also published by Association of Corporate Counsel ("ACC") (February 16, 2022)
- "[California Again Attempts to Outlaw the Mandatory Arbitration of Employment Disputes](#)," Author, Snell & Wilmer Legal Alert (September 23, 2021)
- "[Pregnancy Likely to Be Added to Short List of Required Employment Accommodation](#)," Author, Snell & Wilmer Labor and Employment Law Blog (February 25, 2021)
- "[COVID-19: Employment Squalls Likely to Hit Employers](#)," Co-Author, Snell & Wilmer Legal Alert (July 14, 2020)
- "[EEOC Changes Policy on Mandatory Arbitration](#)," Co-Author, Snell & Wilmer Labor and Employment Law Blog (December 22, 2019)
- "[United States Supreme Court Continues Its Trend of Enforcing Individual Employment Arbitration Agreements](#)," Author, Snell & Wilmer Legal Alert, (April 30, 2019)
- "[Is your Severance Program Release Enforceable?](#)" Author, Snell & Wilmer Legal Alert (February 1, 2019)
- "[Supreme Court to Resolve Current Split of Authority Over Enforceability of Class Action Waivers Contained in Mandatory Arbitration Policies](#)," Author, Snell & Wilmer Legal Alert (October 13, 2017)
- "[SEC: Get Out of Whistleblowers' Way](#)," Quoted, Corporate Counsel (January 30, 2017)
- "[Ninth Circuit Invalidates Class Action Waivers Contained in Employment Arbitration Policies](#)," Author, Snell & Wilmer Legal Alert (August 25, 2016)

- "[Standard Severance Agreements May Need to Be Revised](#)," Co-Author, Snell & Wilmer Legal Alert (August 19, 2016)
- "[Multi-Agency Investigation Successfully Targets Arizona and Utah Construction Companies' Misclassification of Employees](#)," Co-Author, Snell & Wilmer Legal Alert (May 6, 2015)
- "Groundrules For Returning Military Personnel to the Civilian Workforce," Co-Author, BIZAZ Magazine (2007)

## Professional Recognition & Awards

- The Best Lawyers in America<sup>®</sup>, Labor & Employment Law - Management (1987-2021)
- The Best Lawyers in America<sup>®</sup>, Business Edition, Labor & Employment Law (2012)
- Southwest Super Lawyers<sup>®</sup>, Employment & Labor (2007-2016)
- Super Lawyers<sup>®</sup>, Employment & Labor - Business Edition (2011)
- Super Lawyers<sup>®</sup>, Employment & Labor - Corporate Counsel Edition (2008-2010)
- Ranking Arizona: The Best of Arizona Attorneys, Labor & Employment Law (2010-2011)
- Arizona's Top Lawyers, Arizona Business Magazine (2010)
- Chambers USA: America's Leading Lawyers for Business<sup>®</sup>
- Best of the Best Awards, Top Lawyers, Labor and Employment Law, Arizona Business Magazine (2008)
- Who's Who In Arizona
- Who's Who in American Law, Ninth edition
- Who's Who in America, 50th Edition
- Who's Who in Legal: USA Management Labor & Employment

## Bar Admissions

- Arizona
- District of Columbia (inactive)

## Court Admissions

- Supreme Court of Arizona
- United States Court of Appeals, Eleventh Circuit
- United States Court of Appeals, Fifth Circuit
- United States Court of Appeals, First Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Tenth Circuit
- United States District Court, District of Arizona
- United States District Court, District of Colorado