

# Snell & Wilmer

---



## **John F. Lomax, Jr.**

Partner | Phoenix

Tel. 602.382.6305

[jlomax@swlaw.com](mailto:jlomax@swlaw.com)

## **Main Bio**

John Lomax is an AV<sup>®</sup> peer review rated lawyer who focuses on the defense of labor and employment matters. He is listed in The Best Lawyers in America<sup>®</sup>, Chambers & Partners USA Guide and Southwest Super Lawyers magazine. John represents employers in class and collective actions, and he has an active practice representing employers on wage and hour issues, restrictive covenants and trade secrets, affirmative action plans, employment agreements, reductions-in-force and EEO cases. He has handled arbitrations, bench and jury trials.

John also represents employers in traditional labor matters, representative case proceedings, unfair labor practices cases, negotiating collective bargaining agreements, and handling labor arbitrations.

## **Representative Experience**

### ***Significant Representations***

- Represented employer before trial and appellate courts in EEOC-led pattern-and-practice case involving alleged discrimination on Native American reservations
- Represented employer in several nationwide class actions under the Fair Credit Reporting Act
- Represented employer in a jury trial alleging off-the-clock under the Fair Labor Standard
- Represented employer in four-week trial in wage and tort claims and contract claims asserted by an employee/shareholder
- Represented health care provider in a week-long arbitration brought by physician/employee who alleged contract, wage payment, whistleblower and tort claims
- Member of a National Coordinating Counsel team overseeing litigation of a large number of wage/hour class actions, FLSA collective actions and MDL proceedings on behalf of national employer
- Represented multi-state employer in defense of Fair Labor Standards Act off-the-clock cases
- Defended executive in a contentious non-competition lawsuit – litigation included a four-day preliminary injunction over the non-competition clause
- Advised employers in labor negotiations/strike planning in many different industries and involving wide variety of unions including IAM, UMW, IBEW, NABET, UAW, IATSE and SEIU
- Represented employers in many representative case proceedings and unfair labor practice hearings, before the NLRB

## **Education**

- Emory University School of Law (J.D., 1996)
  - American Jurisprudence Awards for Constitutional Law and State and Local Tax
  - Executive Articles Editor, Bankruptcy Developments Journal
- University of North Carolina at Chapel Hill (B.A., with honors, 1991)

## Professional Memberships & Activities

- American Bar Association, Labor and Employment Section

## Representative Presentations & Publications

- "[Walking the Regulatory Tightrope: The Attorney-Client Privilege in an Intertwined World](#)," Co-Author, Snell & Wilmer Legal Alert (January 27, 2023)
- "Labor & Employment Update: HR Best Practices, Wage and Hour & Union Organizing," Presenter, Association of Corporate Counsel CLE (January 17, 2023)
- "[2023: The Year Pay Transparency Becomes a Much Bigger Deal](#)," Co-Author, Snell & Wilmer Legal Alert (November 15, 2022)
- "Trends in Union Organizing," Presenter, Snell & Wilmer Virtual CLE Series (June 30, 2022)
- "Working with Unions and Non-Union Workforces in a Pandemic," Moderator, SHRM of Greater Phoenix Labor Conference (July 28, 2021)
- "Traditional Labor Under President Biden's Administration," Presenter, SHRM of Greater Phoenix Labor Conference (July 28, 2021)
- "[Checking In On The PRO Act](#)," Co-Author, Snell & Wilmer Labor and Employment Law Blog (July 26, 2021)
- "[Affinity Groups and Labor Laws](#)," Co-Author, Snell & Wilmer Legal Alert (May 12, 2021)
- "[ESG and Human Capital Reporting: Contemplating Diversity Disclosures](#)," Author, Snell & Wilmer Workplace Word Newsletter (April 27, 2021)
- "[The PRO Act's Potential Effect on Employers](#)," Co-Author, Snell & Wilmer Legal Alert (March 15, 2021)
- "[A Woman Was Fired After Refusing to Take the COVID-19 Vaccine Over Debunked Fertility Concerns](#)," Quoted, sheknows.com (February 18, 2021)
- "[Should Employers Administer COVID-19 Vaccines?](#)" Quoted, HR Magazine (January 13, 2021)
- "[Ongoing Executive Order 13950 Controversy Demonstrates Why Government Contractors May Want to Closely Monitor the Presidential Transition](#)," Co-Author, Snell & Wilmer Legal Alert (December 9, 2020)
- "[Mail or In-Person Voting? The NLRB Issues Guidance on Representation Elections During the COVID-19 Pandemic](#)," Co-Author, Snell & Wilmer (November 12, 2020)
- "[Let's Stay Out of the Weeds – Prop 207](#)," Co-Author, Arizona Rock Products Association Newsletter (October 2020)
- "Regional Roundup: A State-Focused Look at Covered Topics," Host, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 1: Issues for All Employers (October 20, 2020)
- "[Let's Stay Out of the Weeds – Arizona's Recreational Marijuana Proposition](#)," Co-Author, Snell & Wilmer Legal Alert (September 21, 2020)

- "[President Trump's Four Executive Actions Extend Certain Coronavirus Relief Programs, but Create Legal Uncertainty](#)," Co-Author, Snell & Wilmer Legal Alert (August 11, 2020)
- "[Ways to Reduce Legal Risks as Employees Come Back to Work in Greater Numbers](#)," Quoted, AZ Big Media (July 17, 2020)
- "[Reopening and Returning to Work](#)," Presenter, Snell & Wilmer Telephone Presentation (May 6, 2020)
- "[A Roadmap to Reopening or Resuming Business in the Midst of a Pandemic](#)," Co-Author, Snell & Wilmer Legal Alert (April 22, 2020)
- "[Furloughs, Reductions in Force, and Alternatives to Consider](#)," Author, Snell & Wilmer Legal Alert (March 17, 2020)
- "[EEOC Harassment Charges Reflect #MeToo's Relevance](#)," Quoted, SHRM Online (January 25, 2020)
- "[Construction Industry Update Regarding Marijuana: Arizona and Nevada Laws Continue to Evolve](#)," Co-Author, Snell & Wilmer Under Construction Newsletter (July 2019)
- "[Let's Get Out of the Weeds; Understanding Arizona's Medical Marijuana Laws](#)," Co-Author, Snell & Wilmer Legal Alert (February 27, 2019)
- "[8 Workplace Legal Trends for 2018](#)," Quoted, HR Magazine (January 2, 2018)
- "[Employers' Initial Obligations Upon the Filing of Election Petitions Under the New NLRB Rules](#)," Co-Author, Snell & Wilmer Legal Alert (April 13, 2015)
- "Withstanding Legal Scrutiny in Employer-Conducted Background Checks," Co-Author, American Bar Association, Section of Litigation, Employment & Labor Relations Newsletter (June 17, 2014)
- "[OFCCP rescinds Directive 293 regarding jurisdiction over health care providers and insurers](#)," Co-Author, Lexology.com, ACC Newsletter (August 26, 2012)
- "Labor and Employment Laws Applicable to Organized Delivery Systems," Contributing Author, Health Care Administration, Jones & Bartlett 4th ed. (2004)
- "RICO and Labor Law," Contributing Author, The Developing Labor Law, American Bar Association, 4th ed. (2000)
- "Disparate Impact Discrimination," Author, Labor and Employment Law for South Carolina Lawyers, South Carolina Bar (1999)
- "Protecting the Growing Number of Older Women: The Age Discrimination in Employment Act," Editor, Procedures, 1997 Supp., George Mason University (1998)
- "Privacy in the Workplace," Author, South Carolina Lawyer (January 1997)
- "Information Technology and Workplace Privacy," Author, American Textiles International, 48 (February 1997)
- "Solving Employment Disputes Without Court," Author, American Textiles International, 32 (November 1996)
- "Future Electric Utility Bankruptcies," Author, Bankruptcy Developments Journal, 12 (1996)

## Professional Recognition & Awards

- Top 100 Lawyers in Arizona, AZ Business Magazine (2017-2020)
- AZ Business Leaders in Law, AZ Big Media (2016)

- The Best Lawyers in America®, Labor & Employment Litigation (2008-2023), Employment Law - Management, Labor Law - Management (2012-2023)
  - Phoenix Lawyer of the Year, Labor & Employment Litigation (2020)
  - Phoenix Lawyer of the Year, Labor Law - Management (2016, 2018, 2021)
- Top 100 Lawyers in Arizona, Labor and Employment Defense, Litigation, Healthcare, AzBusiness Magazine (2015)
- Arizona's Top Lawyers, Employment and Labor Relations, AzBusiness Magazine (2014)
- Chambers USA: America's Leading Lawyers for Business®, Labor & Employment (2008-2022)
- Southwest Super Lawyers®, Employment & Labor (2009-2022)
  - Top Honors (2022)
  - Top 50 in Arizona (2011-2019, 2023)

## **Community Involvement**

- Teach for America, Phoenix Regional Advisory Board, Past-Chair (2000-2006)
- Valley of the Sun Human Resources Association, Board of Directors, Past Member
- Paradise Valley United Methodist Church, Board of Trustees, Past Member
- All Saints Episcopal Day School, Board of Directors Past Chair (2009-2016)
- The Heard Museum, Trustee (2015-present)

## **Previous Professional Experience**

- Greenberg Traurig, LLP, Shareholder (1999-2010)
- Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Associate (1996-1999)

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- Tribal Courts of the Navajo Nation
- United States Court of Appeals, Fifth Circuit
- United States Court of Appeals, Fourth Circuit
- United States Court of Appeals, Ninth Circuit
- United States District Court, District of Arizona
- United States District Court, District of South Carolina
- United States District Court, Northern District of Georgia
- United States District Court, Western District of North Carolina
- United States Supreme Court