



Michael A. Pavlick

Partner

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OVERVIEW

Michael Pavlick is a partner in the firm's Labor, Employment, and Workplace Safety practice. He concentrates in labor and employment law, including representation of clients before the National Labor Relations Board and the National Mediation Board; collective bargaining; arbitrations conducted pursuant to labor contracts; union elections and campaigns; labor litigation under the National Labor Relations Act and the Railway Labor Act; minimum wage and overtime litigation under the Fair Labor Standards Act; employment discrimination litigation under the Civil Rights Acts of 1866, 1871, 1964 and 1991, the Age Discrimination in Employment Act, and the Americans with Disabilities Act; wrongful discharge litigation under state law; benefits litigation under the Employee Retirement Income Security Act; litigation of non-competition/confidentiality agreements; OSHA proceedings; unemployment compensation and other administrative hearings; and, client counseling on labor and employment issues.

PROFESSIONAL BACKGROUND

Mr. Pavlick frequently speaks at seminars and classes on labor and employment issues, has contributed to employment-related newsletters, and has had several articles published in law reviews. Before joining the firm, Mr. Pavlick served as a full-time judicial clerk to a judge sitting on the United States Court of Appeals for the Third Circuit in New Jersey.

ACHIEVEMENTS

- Recognized in *The Best Lawyers in America*® in Pittsburgh
 - Labor Law-Management, 2013-2024
 - Litigation-Labor and Employment, 2012-2024
- Named "Lawyer of the Year" by *The Best Lawyers in America*® for Litigation - Labor & Employment in Pittsburgh, 2012

PROFESSIONAL / CIVIC ACTIVITIES

- Allegheny County Bar Association (Labor and Employment Law Section)
- American Bar Association (Labor and Employment Law Section)
- Pennsylvania Bar Association (Labor and Employment Law Section)
- President, Steel Valley Soccer Club Board of Directors (2018 PA West Volunteer of Year)
- President, Munhall Borough Parks and Recreation Board
- Board Member, Personnel Committee, Pittsburgh Parks Conservancy
- Personnel Committee, Women's Center and Shelter of Greater Pittsburgh
- Recognized for performing at least 50 pro bono hours of legal counseling per year since 2015

SPEAKING ENGAGEMENTS

- "Unions 101: Responding to a Union Organization Campaign," Presenter, hosted by K&L Gates, 15 November 2022

EDUCATION

- J.D., Case Western Reserve University School of Law, 1990 (*magna cum laude*; *Order of the Coif*)
- B.A., Drew University, 1987 (*magna cum laude*; *Phi Beta Kappa*)

ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Michigan
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Northern District of Ohio
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP POWERED BY HUB

- 31 August 2023, NLRB Weakens Secret-Ballot Elections in Union Campaigns, Increasing Unionization Perils
- 9 August 2023, NLRB Imposes Strict New Limits on Employer Work-Rules
- 15 June 2023, NLRB Imposes Stricter Independent Contractor Test on Employers
- 31 May 2023, NLRB General Counsel Seeks to Outlaw Most Noncompetition Agreements
- 17 May 2023, NLRB Expands Protections for Employee Abusive Conduct, Returns to Setting-Specific Standards
- 24 March 2023 , NLRB General Counsel Issues Compliance Guidance on Recent Ruling Limiting Severance Agreements
- 24 February 2023, NLRB Imposes Broad Restrictions on Severance Agreements
- January 2023, Reductions in Force: Strategies to Minimize Litigation Risk in Downsizing
- March 2021, What You Need to Know About 2021's Trends and Developments in Labor and Employment Law
- 25 March 2020, COVID-19: Workers in a COVID-19 World
- May 2018, GC University - Session Two - Sexual Harassment and Social Media in the Workplace
- 2 September 2015, NLRB Broadens Joint Employment Standard

OTHER PUBLICATIONS

- "Employers Held Captive by Mandatory Meeting Imbroglio," *American Health Law Association*, 8 December 2022
- "How NLRB Guidance Supports Employer-Led Wage Hikes," *Bloomberg Law*, 24 October 2022
- "What Happens if NLRB Cuts Captive Audience Meetings," *Bloomberg Law*, 5 October 2022

NEWS & EVENTS

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 11 June 2021, K&L Gates Advises SPX Corporation on Agreement to Sell SPX Transformer Solutions to GE-Prolec Transformers

- 4 May 2021, Managing What's Next: Key Considerations on the Return to the Workplace and Vaccine Landscape for Employers, hosted by Pennsylvania Chamber of Commerce
- 1 June 2016, K&L Gates Advises Cascades Inc. in Packaging Plant Purchase from Rand-Whitney

MEDIA MENTIONS

- Quoted, "Four-Day Work Week Means Navigating Overtime Pay, Union Talks," *Bloomberg Law*, 20 December 2022.
- Quoted, "Union Drives Show Young Workers' Collective Action Interest," *Law360*, 3 May 2022.
- Quoted, "Employers Brace For More Suits After NLRB GC Threat Memo," *Law360*, 3 February 2022.

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Collective Labor and Works Councils
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Human Resource Advice and Compliance
- Wage and Hour
- Workplace Safety

INDUSTRIES

- Consumer Products
- Higher Education Institutions
- Manufacturing

REPRESENTATIVE EXPERIENCE

- Represented lumber company in union organizing campaign in Northern Florida which resulted in no election, most unfair labor practice charges being dismissed, including claims that employees were unfairly disciplined and terminated, and the union request for Section 10(j) injunctive relief being denied.
- Won summary judgment for a railroad in a lawsuit filed by the union in federal court in Massachusetts claiming that the railroad unilaterally changed certain negotiated employee health care benefits.